

SENATE JOURNAL

OF THE

IDAHO LEGISLATURE

SECOND REGULAR SESSION
SIXTY-SECOND LEGISLATURE

**FIRST LEGISLATIVE DAY
MONDAY, JANUARY 6, 2014**

Senate Chamber

At the hour of 12 noon on Monday, January 6, 2014, the time established for the convening of the Second Regular Session of the Sixty-second Idaho Legislature, the members of the Senate convened in the Senate Chamber of the Capitol in the City of Boise, President Brad Little presiding.

The following Certificate of Election was read by the Secretary of the Senate:

STATE OF IDAHO
OFFICE OF THE SECRETARY OF STATE

CERTIFICATE OF ELECTION

I, Ben T. Ysursa, Secretary of State of the State of Idaho and legal custodian of the records of elections held in the State of Idaho, do hereby certify that the following is a full, true, and complete list of those elected to serve as members of the Senate of the Second Regular Session of the Sixty-second Legislature, as shown by official records on file in my office:

DISTRICT	NAME
1	Shawn Keough (R)
2	Steve Vick (R)
3	Bob Nonini (R)
4	John W. Goedde (R)
5	Dan J Schmidt (D)
6	Dan G. Johnson (R)
7	Sheryl L. "Sherry" Nuxoll (R)
8	Steven P. Thayn (R)
9	Monty J. Pearce (R)
10	Jim Rice (R)
11	Patti Anne Lodge (R)
12	Todd M. Lakey (R)
13	Curt McKenzie (R)
14	Marv Hagedorn (R)
15	Fred S. Martin (R)
16	Les Bock (D)
17	Elliot Werk (D)
18	Janie Ward-Engelking (D)
19	Cherie Buckner-Webb (D)
20	Chuck Winder (R)
21	Clifford R. Bayer (R)
22	Russell M. Fulcher (R)
23	Bert Brackett (R)
24	Lee Heider (R)
25	Jim Patrick (R)

26	Michelle Stennett (D)
27	Dean L. Cameron (R)
28	Jim Guthrie (R)
29	Roy Lacey (D)
30	Dean M. Mortimer (R)
31	Steve Bair (R)
32	John H. Tippets (R)
33	Bart M. Davis (R)
34	Brent Hill (R)
35	Jeff C. Siddoway (R)

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed the Great Seal of the State of Idaho. Done at Boise, the Capital of Idaho, this Third day of January, in the year of our Lord, Two Thousand and Fourteen, and of the Independence of the United States of America, the Two Hundred and Thirty-eighth.

/s/ BEN T. YSURSA
Secretary of State

The Certificate of Election was ordered filed in the office of the Secretary of the Senate.

Roll call showed all members present except Senator Nonini, absent and formally excused by the Chair.

Prayer was offered by Chaplain Keith Buhler, The Church of Jesus Christ of Latter-day Saints.

President Pro Tempore Hill provided a brief history of the Idaho State flag flown over the domes of the House and Senate Chambers during each session of the Legislature. He explained that the flags represent the spirit of our citizens and serve as a symbol of Idaho's sovereignty. They further serve notice to the State that the Legislature, the elected representatives of all the citizens of Idaho, is in session. The flags are raised when the Legislature convenes and will be retired when the Legislature adjourns *sine die*. On request by President Pro Tempore Hill, granted by unanimous consent, The Idaho State Police Honor Guard entered the Chamber.

The Pledge of Allegiance was led by Sarah Jane McDonald, Sergeant-at-Arms. President Little presented the Idaho State flag to the Honor Guard to be raised above the Senate Chamber to fly during the Second Regular Session of the Sixty-second Idaho Legislature and the Honor Guard exited the Chamber.

A musical presentation of Our *National Anthem* was sung by the Madison High School Vocal Spectrum.

America the Beautiful and *The Battle Hymn of the Republic* was sung by the Madison High School Belcanto Choir.

On request by Senator Davis, granted by unanimous consent, President Little appointed a committee consisting of Senator Johnson, Chairman, and Senator Lacey to escort the committee from the House of Representatives into the Senate Chamber. Representatives Collins, Perry, and Woodings informed the Senate that the House is now organized and ready to conduct business.

The Senate committee was discharged.

On request by Senator Davis, granted by unanimous consent, the Senate advanced to the Eighth Order of Business.

Messages from the Governor

December 20, 2013

The Honorable Brad Little
President of the Senate
Idaho Legislature

Dear Mr. President:

I have the honor to inform you that I have appointed Janie Ward-Engelking of Boise, Idaho, to the office of State Senator for Legislative District 18. The appointment is effective December 20, 2013.

As Always - Idaho, *Esto Perpetua*
/s/ C.L. "Butch" Otter
Governor

THE OFFICE OF THE GOVERNOR
EXECUTIVE DEPARTMENT
BOISE, IDAHO
CERTIFICATE OF APPOINTMENT

KNOW ALL MEN, by these Presents, that pursuant to the provisions of Section 59-904A, *Idaho Code*, the District 18 Legislative Committee of the Republican Party has submitted a list of three names for consideration in filling a vacancy in the Idaho State Senate.

NOW, THEREFORE, I, C.L. "Butch" Otter, Governor of the State of Idaho, by virtue of the authority vested in me do hereby appoint Janie Ward-Engelking of Boise, Idaho, to the office of State Senator, District 18, Ada, State of Idaho, for a term commencing on December 20, 2013, and continuing until the next general election when the term of office expires.

IN TESTIMONY WHEREOF, I have hereunto set my hand and caused to be affixed the Great Seal of the State of Idaho.

Done at Boise, the Capital of Idaho, this Twentieth day of December, in the year of our Lord Two-thousand and thirteen and of the Independence of the United States of America, the Two Hundred and Thirty-eighth year.

/s/ BY THE GOVERNOR C.L. "BUTCH" OTTER
/s/ SECRETARY OF STATE BEN T. YSURSA

The correspondence and Certificate of Appointment were ordered filed in the office of the Secretary of the Senate.

The President announced that the Oath of Office had been administered previously to Senator Ward-Engelking, and she was recorded present at this order of business.

January 6, 2014

The Honorable Brad Little
President of the Senate
Idaho Legislature

Dear Mr. President:

I have the honor to inform you that I have appointed Cathyanne Nonini of Coeur d'Alene, Idaho, to be Acting State Senator for Legislative District 3, Kootenai, State of Idaho.

This appointment is effective January 6, 2014, and will continue until such time as Senator Bob Nonini is able to resume his duties.

As Always - Idaho, *Esto Perpetua*
/s/ C.L. "Butch" Otter
Governor

THE OFFICE OF THE GOVERNOR
EXECUTIVE DEPARTMENT
BOISE, IDAHO
CERTIFICATE OF APPOINTMENT

KNOW ALL MEN, by these Presents, that pursuant to the provisions of Section 59-917, *Idaho Code*, Bob Nonini, State Senator, District 3, Kootenai, State of Idaho, has nominated Cathyanne Nonini of Coeur d'Alene, Idaho, to perform the duties of this office temporarily as Acting State Senator, District 3, Kootenai.

NOW, THEREFORE, I, C.L. "Butch" Otter, Governor of the State of Idaho, by virtue of the authority vested in me do hereby appoint Cathyanne Nonini to the office of State Senator, District 3, Kootenai, State of Idaho, for a term commencing on January 6, 2014, and continuing until such time as Senator Nonini is able to resume his duties.

IN TESTIMONY WHEREOF, I have hereunto set my hand and caused to be affixed the Great Seal of the State of Idaho.

Done at Boise, the Capital of Idaho, this Sixth day of January, in the year of our Lord Two Thousand and Fourteen and of the Independence of the United States of America, the Two Hundred and Thirty-eighth year.

/s/ BY THE GOVERNOR C.L. "BUTCH" OTTER
/s/ SECRETARY OF STATE BEN T. YSURSA

The correspondence and Certificate of Appointment were ordered filed in the office of the Secretary of the Senate.

The President announced that the Oath of Office had been administered previously to Acting Senator Nonini, and she was recorded present at this order of business.

On request by Senator Davis, granted by unanimous consent, the Senate advanced to the Tenth Order of Business.

Motions and Resolutions

On motion by Senator Davis, seconded by Senator Stennett, by voice vote the Rules of the Senate and Joint Rules of the Senate and House of Representatives as adopted by the First Regular Session of the Sixty-second Idaho Legislature were adopted as the Rules of the Senate and Joint Rules of the Senate and House of Representatives of the Second Regular Session of the Sixty-second Legislature of the State of Idaho.

On request by Senator Davis, granted by unanimous consent, the seats as presently occupied were permanently assigned to the Senators for the Second Regular Session of the Sixty-second Idaho Legislature.

On motion by Senator Davis, seconded by Senator Stennett, by voice vote, the following changes were made in Standing Committee Appointments:

Senator Ward Engelking was assigned to the Agricultural Affairs Committee, Commerce and Human Resources Committee and the Education Committee for the Second Regular Session of the Sixty-second Idaho Legislature.

On request by Senator Davis, granted by unanimous consent, the Senate returned to the Ninth Order of Business.

Messages from the House

January 6, 2014

Dear Mr. President:

I transmit herewith [HCR 37](#), which has passed the House.

ALEXANDER, Chief Clerk

[HCR 37](#) was filed for first reading.

On request by Senator Davis, granted by unanimous consent, the Senate advanced to the Eleventh Order of Business.

Introduction, First Reading, and Reference of Bills, House Petitions, Resolutions, and Memorials

[HCR 37](#), by Moyle and Rusche, was introduced, read at length, and referred to the Tenth Order of Business, Motions and Resolutions, and ordered held at the Secretary's desk for one legislative day.

On request by Senator Davis, granted by unanimous consent, the Senate returned to the Tenth Order of Business.

Motions and Resolutions

Moved by Senator Davis, seconded by Senator Stennett, that all rules of the Senate interfering with the immediate consideration of [HCR 37](#) be suspended. The question being, "Shall the rules be suspended?"

Roll call resulted as follows:

AYES—Bair, Bayer, Bock, Brackett, Buckner-Webb, Cameron, Davis, Fulcher, Goedde, Guthrie, Hagedorn, Heider, Hill, Johnson, Keough, Lacey, Lakey, Lodge, Martin, McKenzie, Mortimer, Nonini (Nonini), Nuxoll, Patrick, Pearce, Rice, Schmidt, Siddoway, Stennett, Thayne, Tippets, Vick, Ward-Engelking, Werk, Winder. Total - 35.

More than two-thirds having voted in the affirmative, the President declared the rules suspended and announced that [HCR 37](#) was before the Senate for final consideration.

On motion by Senator Davis, seconded by Senator Stennett, [HCR 37](#) was adopted by voice vote, title was approved, and the resolution ordered returned to the House.

On request by Senator Davis, granted by unanimous consent, President Little appointed a committee consisting of Senator Hagedorn, Chairman, and Senators Guthrie and Werk to notify the Governor that the Senate is now organized and ready to conduct business.

The committee was excused.

On request by Senator Davis, granted by unanimous consent, President Little appointed a committee consisting of Senator Bair, Chairman, and Senators Patrick and Ward-Engelking to notify the House of Representatives that the Senate is now organized and ready to conduct business.

The committee was excused.

The committee appointed to wait upon the Governor returned and reported that the Governor sent his best wishes to the Senate members.

The committee was discharged.

The committee appointed to wait upon the House of Representatives returned and reported that they had conveyed the message to the House and the House expressed their best wishes for a productive session.

The committee was discharged.

On request by Senator Davis, granted by unanimous consent, the Senate advanced to the Twelfth Order of Business.

Second Reading of Bills

On request by Senator Davis, granted by unanimous consent, the Senate went at ease for the purpose of attending a joint session to hear the Governor's State of the State and Budget Address.

JOINT SESSION

Pursuant to [HCR 37](#), the hour of 1 p.m. having arrived, the members of the Senate entered into the House Chamber and met in Joint Session with Speaker Bedke presiding.

Roll call of the Senate showed all members present except Acting Senator Nonini, absent and excused.

On request by Speaker Bedke, granted by unanimous consent, an Honor Guard consisting of members of the Idaho State Police presented and posted the United States flag and the Idaho State flag. The Pledge of Allegiance was led by Speaker Bedke.

Prayer was offered by House Chaplain Tom Dougherty.

On request by Representative Moyle, granted by unanimous consent, the Speaker appointed three committees to wait upon the Supreme Court Justices and Appellate Court Judges, the elected officials, and the Governor and escort them to the House Chamber.

The Speaker appointed Senators Lodge and Bock and Representatives Wills and Burgoyne as the committee to wait upon and escort the Supreme Court Justices and Appellate Court Judges to the House Chamber.

The Speaker excused the committee.

The Speaker appointed Senators Winder and Buckner-Webb and Representatives Anderson and Gannon as the committee to wait upon and escort the elected officials to the House Chamber.

The Speaker excused the committee.

The Speaker appointed Senators Davis and Stennett and Representatives Moyle and Rusche as the committee to wait upon and escort the Governor to the House Chamber.

The Speaker excused the committee.

The committees appointed by the Speaker returned and escorted the Supreme Court Justices, Appellate Court Judges, the elected officials, and the Governor into the House Chamber where they were presented to the Joint Session by the Speaker.

The Speaker introduced His Excellency, the Governor of the State of Idaho, C.L. "Butch" Otter, and the following **State of the State and Budget Address** was delivered by the Governor:

Mr. Speaker, Mr. President, Honorable Justices and Judges, my fellow constitutional officers, distinguished legislators and members of my Cabinet, honored guests, friends, my family and our First Lady ... my fellow Idahoans.

Happy New Year and welcome back to the People's House.

I know you join me in being grateful for the opportunity to continue our work together toward building a solid foundation for Idaho's future. Thank you for inviting me here to report on our progress in advancing the interests of the citizens we serve.

My goal today is to outline and invite your consideration and support for my key proposals in the coming year and beyond.

Before I continue my remarks, please join me in remembering and honoring Specialist Thomas Murach Specialist Mitchell Daehling, Staff Sergeant Octavio Herrera, and Captain David Lyon - the heroic Idahoans who lost their lives during 2013 while protecting our freedoms and way of life - as well as the 177 brave men and women of the Idaho Army and Air National Guard who were deployed in harm's way on our behalf this past year. Thank you.

But we all know that thanks alone are not enough to adequately demonstrate our gratitude to these valiant Idahoans. That's why I recently issued an Executive Order developed with the help of Senator Marv Hagedorn establishing the Idaho Veterans, Servicemembers and Families Coordination Council.

It formalizes a support structure for those Idaho citizens who have served or are serving in the Armed Forces - whether on active duty, in the Reserves, or in the National Guard, as well as their families. They deserve all we can do.

By now you all know that my administration remains committed to limited, transparent and accountable government that enables economic opportunity and empowers citizens to reach their own best potential.

I will not sanction growing our State government as fast as our economy, and I will continue to work for greater efficiency, effectiveness, stability and predictability in fulfilling the proper roles of government. Our shared commitment to those principles has seen us through some tough times, and it remains our best path forward.

Today I will focus my remarks on the highest of our duties as public servants - investing taxpayer dollars in Idaho's future in a way that is targeted, responsible and sustainable.

First - education.

The task force I assembled after the 2012 election to study how best to improve Idaho's public schools did an incredible job. I'm grateful for their service and their continuing commitment to seeing this process through.

The diverse membership effectively put aside politics and personal agendas in developing recommendations that I enthusiastically endorse.

I believe that implementing them will substantially move our policies in the right direction for Idaho's future. That includes making a significant start on a multi-year effort to restore funding to public schools that we withheld during the prolonged economic downturn.

It also involves carefully tracking how effectively taxpayer investments are put to work in our classrooms.

And I'm calling for greater transparency in that process, which should include online reporting of details about how local officials are improving the education experience and outcomes for students. That in turn will enable parents and patrons to hold teachers, administrators, trustees - and us - more accountable.

Ladies and gentlemen, process matters. Attention to the importance of process is why I appointed a task force representing a broad cross-section of stakeholders to carefully assess our options. Now that group has delivered its findings, and we must be just as careful in how we enact them.

I envision this process being as data-driven and as focused on outcomes as possible.

For that reason it is my preference that we write our fiscal 2015 investment in ink and the out-year investment plans in pencil so that we can better assess the local impacts of that funding.

In assessing those impacts, my task force also recognized the importance of the increased academic rigor we will see by successfully implementing the Idaho Core Standards.

I want to express my appreciation to you for having the courage and foresight to adopt those standards, understanding that meaningful work remains to be done. Senator John Goedde and Representative Reed DeMordaunt have been working with the State Board and the Department of Education to prepare legislation to further clarify the fact that we place the highest importance on the privacy and security of student data. I strongly support that endeavor.

The overarching goal of the task force recommendations is achieving the State Board of Education's benchmark of ensuring at least 60 percent of Idaho citizens between the ages of 24 and 34 have a degree or professional certification by 2020.

That goal and our proposals for achieving it have been enthusiastically embraced by the education community and by employers.

They are being elevated and advanced not only by the Board of Education but also by leaders of both parties as well as our state Workforce Development Council, the Department of Commerce and many other stakeholders throughout Idaho.

Indeed, the task force recommendations and the work that they are already inspiring promise to make the idea of "K-through-12" education obsolete. The standard for Idaho's commitment to education excellence and workforce readiness can perhaps better be characterized as "K-through-Career."

Now, I want that to sink in for just a moment: K-through-Career. It is a straightforward but profound way of describing our goals for building out and maintaining a continuum of education and training opportunities. It is a formula that emphasizes local autonomy and accountability as the keys to success not only for our schools but also for our communities, our economy, and most importantly for our students.

The recommendations put forward by the task force wisely call for locally drafted strategic plans designed to meet local needs while aligning with our statewide objectives. Local school trustees will oversee the implementation of those strategic plans to improve the education of their students, and the State Department of Education will monitor progress to enable local patrons to more effectively hold school districts accountable for meeting their own stated goals.

Those goals could include more comprehensively using technology in the classroom, more aggressively facilitating dual credit programs or more carefully fostering teacher mentoring efforts. It could mean providing greater focus on science,

technology, engineering and math education; early reading competency or any number of other strategies for local success.

Of course, technology will be a critical part of this effort. The task force recommendations make it clear that the best course involves empowering local administrators to acquire whatever devices work best for their own students and in their own classrooms, and then ensuring those devices are accessible to every student.

The funding that you approved last year for school technology grants began that process, which should continue.

But there are two important elements that I want to emphasize to you and to local school officials.

First, I want to make it clear that the buying power of our statewide purchasing process is available to local school districts and may help them obtain the devices they need at better prices.

Second, the Idaho Digital Learning Academy stands ready and is uniquely positioned to provide technical assistance, teacher training and advice on best practices - technically and academically. It can help schools more effectively use those classroom devices, especially in tandem with the Idaho Education Network.

As you know, the IEN already links every Idaho public high school.

And I'm pleased to be able to announce today that, with your continuing support, we expect to have every elementary and middle school in Idaho hooked up to our broadband Internet education system by the end of fiscal 2015.

A network of support also factors prominently into our response to rising concerns about the safety of students and staff in our public schools. With the haunting memories of Newtown, Connecticut still fresh on our minds, local and state officials studied what works across the country and then engaged in a first-of-its-kind multiagency exercise at Burley High School last August.

We've learned a lot about how to identify and address our security challenges, and school districts all over Idaho are benefiting. But in the end I believe one of the most important lessons learned was the absolute necessity of communication and building relationships of trust and support between parents, teachers, school administrators, first responders and law enforcement at every level before an emergency happens.

The Idaho State Police, Bureau of Homeland Security, the Department of Education, the Division of Building Safety and local sheriffs and police departments throughout Idaho are united in their commitment to building those relationships. To help further strengthen that bond, my budget recommendation includes a line item for local pilot projects aimed at improving school safety and security.

The key to building those relationships - to building any relationship - is listening. The Complete College America Alliance that Idaho joined three years ago is based on education leaders listening to what our students need in order to go on to post-secondary education, and what they need to succeed when they get there.

With the help of the Albertson Foundation and the leadership of the State Board of Education, this year we're acting on what we've learned. My budget calls for investing in high-demand programs at each of our four-year institutions. By adding

instructors in targeted areas of study we can help break up the logjam in our universities' upper-division classes so students can keep progressing toward their degrees.

And in response to growing demand, I hope you will help me welcome our new University of Idaho president by approving my recommendation that we expand Dr. Chuck Staben's law school program here in Boise to a second year.

We also must continue investing in the strong collaborative relationship between our universities and the Center for Advanced Energy Studies. That's why my budget calls for adding \$1 million to our annual investment in that facility, which consistently yields incredible returns and value to Idaho's asset portfolio.

Sustaining our support for programs and partnerships at the Idaho National Laboratory is paying off with more career opportunities, as identified by my Leadership in Nuclear Energy or LINE Commission. And there's more progress to come as the INL works with private industry on developing safer, cleaner and more efficient small modular reactors.

Partnerships also are at the heart of efforts to improve our Workforce Development Training Fund program. You can expect to see more targeted use of grants for training employees not just for individual businesses, but for the market-driven growth of industry sectors that add value to Idaho's economy.

My focus on workforce development also includes more support for professional-technical education programs throughout Idaho.

I'm impressed by the work our community colleges are doing - from the new Aerospace Center at North Idaho College to the Applied Technology and Innovation Center being built at the College of Southern Idaho. And they are eager to do more. So I'm asking for both one-time and ongoing investments in an Advanced Manufacturing Initiative at all three of them, plus Idaho State University, Eastern Idaho Technical College and Lewis-Clark State College.

To help ensure affordable educational opportunity beyond high school for more of our citizens, I'm asking you to fund outreach programs in Idaho Falls for the College of Southern Idaho and in Sandpoint for North Idaho College, as well as a nursing initiative at the College of Western Idaho.

Speaking of CWI, I hope you'll forgive my personal pride in the great success that the newest of our community colleges is enjoying. It was born right here in this chamber seven years ago. Its public support, its growth and its synergy with Boise State University and others reflect more than the demand that had built up here in the Treasure Valley. It also reflects the sound judgment of the people of Ada and Canyon counties in investing in their own future. And it speaks to the excellence, responsiveness and accessibility of the product that President Bert Glandon and his team are providing for our citizens.

CWI is the kind of investment in which we all can be justifiably proud.

The same is true of the new Idaho Youth Challenge program in the northern Idaho community of Pierce. This nationally tested and proven model provides at-risk youth with a second chance and the opportunity to learn the values, skills and self-discipline they'll need to be responsible citizens wherever life takes them.

The Idaho National Guard has put together a great plan in Pierce, and its first class of students starts this month. It figures

to grow over time to meet the needs of over 200 students each year.

That's 200 more young Idahoans each year with a second chance to prepare for life. That's 200 more young Idahoans each year with a chance to become productive, contributing members of society. Thank you for giving them that second chance.

And thank you for understanding that responsible management - personal or public - involves preparing for the future. Folks, during the most recent economic downturn we used almost all of the "rainy day" funds we had wisely socked away to avoid interruption or long-term damage to public services, most notably education.

We made the right decision these past two years to begin refilling those accounts, especially in light of the continuing instability in our national government's finances and support.

But we are not yet where we need to be in rebuilding our own fiscal buffer against that uncertainty.

So today I am recommending that \$35 million more be set aside in fiscal 2015 for our Budget Stabilization Fund, another \$29 million in our Public Education Stabilization Fund, and an additional \$7 million in our Higher Education Stabilization Fund.

That's a total of \$71 million toward ensuring our ability to keep on supporting the most important work of the State of Idaho - especially our K-through-Career goals - while striving to improve both in effectiveness and efficiency.

Addressing our education and workforce development needs is my top priority. I'm sure some will argue that the proposals I'm putting forward today are not bold enough, not front-loaded enough or simply not enough. But peaks and valleys are not the best way to manage any enterprise - public or private. These proposed investments are measured, manageable and within our means.

Their sustainability also is critically important to Idaho's competitiveness in the global economy. So while I appreciate your support for the tax relief we've been able to provide these past two years - and while I would love to see a third year - it's also my view that any effort to provide additional tax relief for our citizens must be in the context of advancing our goals for Idaho's education system.

I look forward to having a conversation about the merits of further ratcheting down our marginal income tax rates - both individual and corporate - and increasing the personal property tax exemption from \$100,000 to \$250,000.

But once again, my first priority is investing in what will help us achieve sustainable growth.

Another measure of our shared commitment to fiscal responsibility is the fact that our improving and growing economy has enabled the Idaho Department of Labor to reduce the standard unemployment insurance tax rate by almost 31 percent this year. Thanks to the great work of recently retired Director Roger Madsen and his team, the reduction will save tens of thousands of Idaho employers almost \$75 million in 2014.

That in turn will benefit us all by enabling those businesses to expand, improve and create Idaho jobs.

As our unemployment rate drops and demand keeps growing for skilled employees, the importance of workforce development and achieving our K-through-Career goals comes into sharper focus.

Another of my goals as Governor is to advance opportunities for outstanding Idahoans to play a bigger role in every aspect of our State government - from my Cabinet to the courts. I want the best people representing their neighbors. That's why I appreciate Peggy Grover of Rexburg, who I recently appointed to the Idaho Potato Commission. She's the first woman to serve on the commission in its long history.

And she brings passion, professionalism and an invaluable perspective to the marketing of Idaho's most famous commodity.

Please join me in congratulating her on this historic achievement.

Speaking of achievements, last year I told you we were approaching one of the economic development benchmarks with which I'm sure you are familiar - Project 60. Well, as of the fourth quarter of 2013, Idaho's overall economic activity was on a \$60 billion-a-year pace. In fact, our forecast gross domestic product for 2014 is \$62 billion.

But that is not the end of our aspirations for Idaho's economy. Project 60 was only a temporary milestone - a symbol of our commitment to statewide progress and prosperity.

As we celebrate this success, we will continue aspiring to higher goals for Idaho's future. We will focus on making targeted investments, creating skilled talent pools for our industries, expanding career opportunities for our citizens, and continuing our relentless efforts to drive down the costs of doing business.

Over the past couple of years, one region of Idaho has enjoyed particularly compelling success.

People all over the state have been asking me, "What's happening in the Magic Valley? What are they doing, and how can we do it too?" What do big employers like Chobani, Glanbia, McCain Foods, Monsanto, Frulact and Cliff Bar see in the people and possibilities of south-central Idaho?

Well folks, let me tell you, what some might consider the Magic Valley Miracle is something that every part of Idaho has the ability to emulate - leveraging our assets and resources in a way that adds value to our products and services in the marketplace.

From the city councils to the county commissions, from the urban renewal areas to the economic development organization, and from local highway districts to the Governor's office - the Magic Valley is committed to planning and working together toward the shared goal of raising the tide of economic activity in a way that lifts everyone's boat.

As Commerce Director Jeff Sayer likes to say about his agency, we "move at the speed of business" and put a premium on being exceptionally responsive to market opportunities. It's a template we're following, and an approach that Director Sayer and all our state agencies are continuing to build out statewide.

Together they are strengthening our workforce and infrastructure capabilities to help create the unlimited opportunity that's elevating Idaho as a destination for success for such growing employers as Curtiss Wright-Sciencetech and Melaleuca in Idaho Falls, Plexus in Nampa and Involt in Boise.

While we work aggressively toward achieving our own Idaho goals, we also are responsible for ensuring Idaho's voice and values are reflected in how national policies are implemented here in our state. Please accept my thanks once again for enabling us to at least be the project managers if not the architects of

our own destiny in establishing a state-based health insurance exchange last year.

We continue working through the technology and policy implementation challenges imposed upon us by the national government and aggravated by our own early missteps. But I believe we are on the right path toward having our own technology in place, and I remain confident that our experience within the difficult context of Obamacare will continue to improve.

Because of your support, we retain our options and our opportunities for making the process and the outcomes better for Idaho citizens. I know the public debate will continue, but let me reassure you that we are far better off engaged than we would be on the sidelines.

I am equally convinced that we are doing the right thing by continuing to carefully study and learn from the experience of other states when it comes to Medicaid expansion. I appreciate the passion with which advocates both public and private seek our approval for expanding that program. I also appreciate the gravity of what some consider "leaving money on the table" for early financial support of expansion.

My concerns continue to be with the stability and sustainability of that federal support, and the risk of leaving Idaho taxpayers holding the bag for growing an entitlement that we simply can't afford as it's now structured.

Department of Health and Welfare Director Dick Armstrong and his team are closely tracking Medicaid expansion rollouts in states like Arkansas, Indiana and Iowa to learn where we can refine our own system so that care is more carefully focused on prevention, outcomes, and living within our means.

I repeat the commitment I made to legislative leaders soon after the U.S. Supreme Court found much of Obamacare constitutional in 2012 - I will not advance Idaho's role in that law's implementation without your advice and consent.

On the issue of Medicaid expansion, we should not jump into the deep end without knowing what's on the bottom. We must not risk our other priorities on the prospect of long-term support from a federal government that has not proven it can responsibly manage our money. So for this year, and until we are better positioned and prepared to succeed on our own terms, my answer remains no.

At the same time, Director Armstrong has proposed and I am seeking your support for a plan to begin systematically addressing another of our health challenges.

Routinely in Idaho, people with any combination of mental health and substance abuse issues are taken to local emergency rooms or county jails when their condition or behavior puts them or others at risk. Now, we all know how expensive an emergency room visit can be, and we can understand the frustration for individuals and their loved ones from repeatedly dealing with crises but not the underlying illness or addiction.

The Department of Health and Welfare is seeking start-up funding to develop three regional behavioral health crisis centers in Idaho Falls, Coeur d'Alene and Boise to serve area communities 24/7. The goal is to build community partnerships for long-term sustainability. The crisis centers can be modeled on the best practices of other states where such plans have been successful. And based on our own outcomes, efficiencies and partnerships, we can then discuss expanding the program to other regions of Idaho in the coming years.

Folks, this can work. The response to such programs elsewhere has been encouraging, and communities have been more than willing to join in these investments as they see declines in use of local emergency rooms, hospital beds and jail cells.

Now I want to draw your attention to another proposal aimed at sustainability - this one involving our most precious natural resource. The Idaho Water Resource Board and local water districts and associations throughout Idaho have been working hard to more actively and effectively manage the Eastern Snake River Plain Aquifer and other surface and underground water sources throughout Idaho for greater long-term stability. My budget recommendation includes \$15 million in one-time spending for specific water supply improvement projects from Mountain Home to Rathdrum and from Island Park to Arrowrock.

It is a critical investment in our capacity for responsible future growth.

One form of growth we don't want to encourage is in the wolf population that was imposed on Idaho almost 20 years ago. With your unflinching support, we were able to fight through the opposition of those who would make Idaho into a restricted-use wildlife refuge and take back control of these predators from our federal landlords.

We're managing them now, and they're a trophy hunting species. But the population is still growing, and our resources remain at risk. So I'm calling for establishment of a Wolf Control Fund and a State board to direct and manage it. My budget recommendation calls for a one-time allocation of \$2 million to get the fund started. That base then would be augmented with continuing annual contributions of \$110,000 from the livestock industry and a matching amount from Idaho sportsmen.

This three-pronged approach will provide the revenue needed to more effectively control Idaho's burgeoning wolf population and ease the impact on our livestock and wildlife.

Our wild and domestic herds already are benefiting from a step you took last year, and for which I'm grateful. Your agreement to provide seed money for the organization of four rangeland wildfire protection associations is paying off in spades.

In the midst of a bad 2013 forest fire season, Idaho wildfires overall burned 1 million fewer acres than in 2012, and the cost of fighting those wildfires was reduced by \$90 million.

That's thanks in part to the collaborative work of ranchers and other stewards of the range whose devotion to protecting the land where they live and work and willingness to roll up their sleeves is saving resources and lives. This also is an instance in which we are working effectively with a federal agency. Cooperation between the Bureau of Land Management and our own Department of Lands has been critical to training and equipping our local fire protection groups.

I anticipate this program expanding as more people see its proven benefits. It's a model of how we can work together in pursuit of our shared interests.

Unfortunately, that kind of relationship too often is either missing or unreliable in our dealings with the national government.

With the support of Idaho stakeholders, I submitted a commonsense management plan to prevent the need for listing the sage-grouse under the Endangered Species Act. Idaho's plan also ensures continued multiple-use of these federal lands, provides

predictability for our ranchers and facilitates construction of a badly needed electrical transmission line across southern Idaho.

I've been assured that Idaho will have a seat at the table in crafting a solution to the sage-grouse issue, and I will hold federal officials to that commitment.

I encourage your continuing support for our efforts to engage Washington, D.C. on a whole range of issues that impact how our people live, work, build and pursue their dreams here in Idaho.

My friends, I firmly believe that the kind of conservative, sustainable policies I've outlined today are the best way to protect our traditional values while strengthening the foundation of our future. They are the product of tested, proven leadership that both honors and reflects our confidence in the people we serve.

Our path is as straightforward but as challenging as living within our means.

It is as simple but as complex as making government better without growing it bigger. It will require us to put aside partisanship and personal ambition in the public interest. And in this even-numbered year it will demand of us - as I've said before - a willingness to look beyond the next election to Idaho's next generation.

Here in Idaho, let us work together to make our State government more about building partnerships for growth and less about imposing limits on opportunity.

That's my hope and my goal as your Governor, for this session and beyond. More importantly, it is our shared charge and our sworn responsibility as public servants.

I look forward to your response and to reviewing the fruit of your labors in the days and weeks ahead.

Good luck, Godspeed, and may God continue to bless America and the Great State of Idaho.

Thank you.

The Speaker thanked Governor Otter for his message.

The committees came forward and escorted the Governor, the Supreme Court Justices, Appellate Court Judges, and the elected officials to their chambers and offices respectively, and were, on their return, thanked and discharged by the Speaker.

On motion by Moyle, seconded by Rusche, by voice vote the State of the State and Budget Address was ordered spread upon the pages of the House and Senate Journals.

On motion by Moyle, seconded by Rusche, by voice vote the Joint Session was dissolved.

The appointed committee came forward and escorted the Senators from the House Chamber.

The members of the Senate returned to the Senate Chamber.

The Senate reconvened at 1:55 p.m., pursuant to recess, President Little presiding.

Prior to recess the Senate was at the Twelfth Order of Business, Second Reading of Bills.

On request by Senator Davis, granted by unanimous consent, the Senate advanced to the Fifteenth Order of Business.

Miscellaneous Business

On motion by Senator Davis, seconded by Senator Buckner-Webb, by voice vote, the Senate adjourned at 2 p.m. until the hour of 11:30 a.m., Tuesday, January 7, 2014.

BRAD LITTLE, President

Attest: JENNIFER NOVAK, Secretary

SENATE JOURNAL

OF THE

IDAHO LEGISLATURE

SECOND REGULAR SESSION
SIXTY-SECOND LEGISLATURE

**SECOND LEGISLATIVE DAY
TUESDAY, JANUARY 7, 2014**

Senate Chamber

President Little called the Senate to order at 11:30 a.m.

Roll call showed all members present except Senator Goedde and President Pro Tempore Hill, absent and formally excused by the Chair.

Prayer was offered by Chaplain Keith Buhler.

The Pledge of Allegiance was led by Samantha Clay, Page.

The Senate advanced to the Third Order of Business.

Reading and Correction of the Journal

The JUDICIARY AND RULES Committee reports that the Senate Journal of the proceedings of January 6, 2014, was read and approved as corrected.

LODGE, Chairman

There being no objection, the report was adopted and ordered filed in the office of the Secretary of the Senate.

On request by Senator Davis, granted by unanimous consent, the Senate advanced to the Eighth Order of Business.

Messages from the Governor

January 6, 2014

Jennifer Novak
Secretary of the Senate
Idaho State Legislature

Dear Madam Secretary:

As required by Section 57-1601, *Idaho Code*, I am transmitting the following report of the Governor's Emergency Fund for fiscal years 2013 and 2014.

Balance as of July 1, 2012 \$83,744.48

No activity in fiscal year 2013

Balance as of June 30, 2013 \$83,744.48

No activity year-to-date in fiscal
year 2014

Balance as of December 31, 2013 \$83,744.48

As Always - Idaho, *Esto Perpetua*
/s/ C.L. "Butch" Otter
Governor

The correspondence was ordered filed in the office of the Secretary of the Senate.

On request by Senator Davis, granted by unanimous consent, the Senate advanced to the Fifteenth Order of Business.

Miscellaneous Business

On motion by Senator Davis, seconded by Senator Stennett, by voice vote, the Senate adjourned at 11:40 a.m. until the hour of 11:30 a.m., Wednesday, January 8, 2014.

BRAD LITTLE, President

Attest: JENNIFER NOVAK, Secretary

SENATE JOURNAL

OF THE

IDAHO LEGISLATURE

SECOND REGULAR SESSION
SIXTY-SECOND LEGISLATURE

**THIRD LEGISLATIVE DAY
WEDNESDAY, JANUARY 8, 2014**

Senate Chamber

President Little called the Senate to order at 11:30 a.m.

Roll call showed all members present except Senator Buckner-Webb, absent and formally excused by the Chair; and Senator Lodge, absent and excused.

Prayer was offered by Chaplain Keith Buhler.

The Pledge of Allegiance was led by Hunter Markus, Page.

The Senate advanced to the Third Order of Business.

Reading and Correction of the Journal

The JUDICIARY AND RULES Committee reports that the Senate Journal of the proceedings of January 7, 2014, was read and approved as corrected.

LODGE, Chairman

There being no objection, the report was adopted and ordered filed in the office of the Secretary of the Senate.

The Senate advanced to the Fourth Order of Business.

Reading of Communications

May 21, 2013

Ms. Jennifer Novak
Secretary of the Senate
Idaho State Capitol
PO Box 83720
Boise, ID 83720-0054

Dear Secretary of the Senate Novak:

On behalf of the Board of Commissioners of the Idaho State Bar, I am pleased to inform you that the Commission voted to appoint the Honorable Thomas J. Ryan of Caldwell to replace the Honorable Ronald J. Wilper whose term expires June 30, 2013. Judge Ryan will serve a six-year term commencing July 1, 2013 and expiring June 30, 2019. Pursuant to Idaho Code Section 1-2101, the replacement requires the consent of the Idaho State Senate.

If you have any questions, or need additional information, please let me know.

Sincerely,
/s/ Diane K. Minnich
Executive Director

The correspondence was ordered filed in the office of the Secretary of the Senate.

The Idaho Judicial Council appointment was referred to the Judiciary and Rules Committee.

January 8, 2014

The Honorable Brad Little
President of the Senate
Idaho State Senate

Dear Mr. President:

Pursuant to Section 67-6622, Idaho Code, I submit from the records of this office the enclosed listing of the names of the lobbyists registered under the law.

If we may be of assistance to you in regards to this listing, please do not hesitate to contact this office.

Sincerely,
/s/ Ben Ysursa
Secretary of State

The correspondence was ordered filed in the office of the Secretary of the Senate.

On request by Senator Davis, granted by unanimous consent, the Senate advanced to the Fifteenth Order of Business.

Miscellaneous Business

Senator Lodge was recorded present at this order of business.

On motion by Senator Davis, seconded by Senator Stennett, by voice vote, the Senate adjourned at 11:45 a.m. until the hour of 11:30 a.m., Thursday, January 9, 2014.

BRAD LITTLE, President

Attest: JENNIFER NOVAK, Secretary

SENATE JOURNAL

OF THE

IDAHO LEGISLATURE

SECOND REGULAR SESSION
SIXTY-SECOND LEGISLATURE

**FOURTH LEGISLATIVE DAY
THURSDAY, JANUARY 9, 2014**

Senate Chamber

President Little called the Senate to order at 11:30 a.m.

Roll call showed all members present except Senators Pearce, Schmidt, and Thayn, absent and excused.

Prayer was offered by Chaplain Keith Buhler.

The Pledge of Allegiance was led by Allison McCarthy, Page.

The Senate advanced to the Third Order of Business.

Reading and Correction of the Journal

The JUDICIARY AND RULES Committee reports that the Senate Journal of the proceedings of January 8, 2014, was read and approved as corrected.

LODGE, Chairman

There being no objection, the report was adopted and ordered filed in the office of the Secretary of the Senate.

On request by Senator Davis, granted by unanimous consent, the Senate advanced to the Ninth Order of Business.

Messages from the House

January 8, 2014

Dear Mr. President:

I transmit herewith Enrolled [HCR 37](#) for the signature of the President.

ALEXANDER, Chief Clerk

The President signed Enrolled [HCR 37](#) and ordered it returned to the House.

The Senate advanced to the Tenth Order of Business.

Motions and Resolutions

Senator Schmidt was recorded present at this order of business.

Moved by Senator Davis, seconded by Senator Stennett, that the following attaches be elected to fill the offices provided for by the *Constitution* of the State of Idaho and by statute:

Assistant to the Majority LeaderMarian Smith

Assistant to the Asst. Maj. LeaderJennifer McClelland

Assistant to the Majority Caucus Chariman Linda Harrison

Secretary to the Secretary of the Senate Jan Snell

Journal ClerkSarah Hendrick

Minutes Editor/Assistant Clerk Jamie Kaiser

Sergeant at Arms Sarah Jane McDonald

Assistant Sergeant at Arms Jerry Csutoras

Doorkeeper Al Henderson

Committee Secretaries:

Agricultural Affairs Denise McNeil

Commerce & Human Resources Linda Kambeitz

Education Elaine Leedy

Finance Peggy Moyer

Health & Welfare Linda Hamlet

Judiciary & Rules Carol Deis

Local Government & Taxation Marchelle Fias

Resources & Environment Juanita Budell

State Affairs Twyla Melton

Transportation Gaye Bennett

Majority Staff Assistants:

..... David Ayotte

..... Carol Cornwall

..... Todd Czaplicki

..... Sharon Pennington

Minority Chief of Staff Diane Kelly

Minority Staff Assistants:

..... Emma Bunkley

..... Jerome Filip

..... Felycia Itza

Pages:

Samantha Clay, Eagle

Hunter Markus, Boise

Allison McCarthy, Middleton

Kaitlyn Parks, Boise

Anna Pietz, Garden City

Jacob Price, Garden City

Jordan Price, Garden City

Aaron Sweet, Nampa

Hannah Utley, Twin Falls

Kortni Wells, Burley

The question being, Shall the motion prevail?

Roll call resulted as follows:

AYES–Bair, Bayer, Bock, Brackett, Buckner-Webb, Cameron, Davis, Fulcher, Goedde, Guthrie, Hagedorn, Heider, Hill, Johnson, Keough, Lacey, Lakey, Lodge, Martin, McKenzie, Mortimer, Nonini (Nonini), Nuxoll, Patrick, Rice, Schmidt, Siddoway, Stennett, Tippets, Vick, Ward-Engelking, Werk, Winder. Total - 33.

NAYS–None.

Absent and excused–Pearce, Thayn. Total - 2.

Total - 35.

Whereupon the President declared the attaches duly elected to their respective positions. The President instructed the Sergeant at Arms to escort the attaches to the Desk at which time the Oath of Office was administered to the elected attaches and they were escorted from the Chamber.

On request by Senator Davis, granted by unanimous consent, the Senate advanced to the Fifteenth Order of Business.

Miscellaneous Business

On motion by Senator Davis, seconded by Senator Stennett, by voice vote, the Senate adjourned at 11:45 a.m. until the hour of 10:30 a.m., Friday, January 10, 2014.

BRAD LITTLE, President

Attest: JENNIFER NOVAK, Secretary

SENATE JOURNAL

OF THE

IDAHO LEGISLATURE

SECOND REGULAR SESSION
SIXTY-SECOND LEGISLATURE

**FIFTH LEGISLATIVE DAY
FRIDAY, JANUARY 10, 2014**

Senate Chamber

President Little called the Senate to order at 10:30 a.m.

Roll call showed all members present except Senators Fulcher, Johnson, Lodge, and Pearce, absent and excused.

Prayer was offered by Chaplain Keith Buhler.

The Pledge of Allegiance was led by Kaitlyn Parks, Page.

The Senate advanced to the Third Order of Business.

Reading and Correction of the Journal

The JUDICIARY AND RULES Committee reports that the Senate Journal of the proceedings of January 9, 2014, was read and approved as corrected.

LODGE, Chairman

There being no objection, the report was adopted and ordered filed in the office of the Secretary of the Senate.

On request by Senator Davis, granted by unanimous consent, the Senate advanced to the Fifth Order of Business.

Petitions, Resolutions, and Memorials

SCR 132

BY STATE AFFAIRS COMMITTEE

A CONCURRENT RESOLUTION

STATING LEGISLATIVE FINDINGS AND RECOGNIZING JUDGE EDWARD J. LODGE FOR HIS FIFTY YEARS OF SERVICE ON THE BENCH OF STATE AND FEDERAL COURTS.

Be It Resolved by the Legislature of the State of Idaho:

WHEREAS, on July 1, 2013, the Honorable Edward J. Lodge celebrated his fiftieth year on the state and federal judicial bench in and for the state and people of Idaho; and

WHEREAS, Judge Lodge had humble beginnings growing up and working on his family's ranch. He graduated from Caldwell High School, studied at the University of Notre Dame and Boise Junior College, graduated from the College of Idaho and received his law degree from the University of Idaho; and

WHEREAS, in addition to his studies, he was a three-time all-American in football, a former Golden Gloves champion boxer and is in the Boise State University Athletic Hall of Fame and the College of Idaho Hall of Fame; and

WHEREAS, in 1963, he was selected as probate judge in Canyon County and was then appointed by Lieutenant Governor

Drevlow in 1965 to the Idaho District Court and was the youngest person to be appointed as a district judge; and

WHEREAS, in January of 1988, Judge Lodge was appointed as a United States bankruptcy judge for the District of Idaho; and

WHEREAS, in 1989, Judge Lodge's name was put forth by U.S. Senator James McClure for a seat on the United States District Court for the District of Idaho and President George H.W. Bush appointed him in 1989 and shortly thereafter his nomination was confirmed in the United States Senate by unanimous consent; and

WHEREAS, Judge Lodge served as chief judge for the United States District Court from 1992 to 1999 and continues today as a federal district judge in the District of Idaho; and

WHEREAS, Judge Lodge has earned the respect of his colleagues as a jurist who, no matter the pressure or how big the case, works to ensure a trial is fair; and

WHEREAS, Judge Lodge has consistently received high rankings from the Idaho State Bar Association; and

WHEREAS, Judge Lodge is believed to have presided over more murder cases than any other judge in Idaho and has presided over cases involving the Ruby Ridge standoff, tribal ownership of Lake Coeur d'Alene, Claude Dallas, Sami Al-Hussayen, mining damage in the Coeur d'Alene Basin and the death penalty trial of child killer Joseph Duncan; and

WHEREAS, Judge Lodge may be the only judge who presided over two murder cases simultaneously, which shows that Judge Lodge is a lifelong student of the law and is someone wholly dedicated to serving the people in judicial matters; and

WHEREAS, his fifty years of public service on behalf of the State of Idaho and United States Courts of the District of Idaho make Judge Lodge the longest-serving judge in Idaho's history and the longest-serving active federal district judge in the District of Idaho; and

WHEREAS, Judge Lodge's commitment to serve and uphold the Constitution and the rule of law have sustained our republic and benefited the state and people of Idaho.

NOW, THEREFORE, BE IT RESOLVED by the members of the Second Regular Session of the Sixty-second Idaho Legislature, the Senate and the House of Representatives concurring therein, that we recognize and honor the life and achievements of Judge Edward J. Lodge upon his fifty years of service on the state and federal bench and we extend to him the appreciation and gratitude of this Legislature for his service to the State of Idaho and, in particular, his service to the citizens of Idaho.

BE IT FURTHER RESOLVED that the Secretary of the Senate is authorized and directed to forward a copy of this resolution to Judge Edward J. Lodge and to Senator Patti Anne Lodge.

SCR 132 was introduced, read at length, and referred to the Judiciary and Rules Committee for printing.

Senators Fulcher, Johnson, Lodge, and Pearce were recorded present at this order of business.

On request by Senator Davis, granted by unanimous consent, the Senate advanced to the Fifteenth Order of Business.

Miscellaneous Business

On motion by Senator Davis, seconded by Senator Stennett, by voice vote, the Senate adjourned at 10:45 a.m. until the hour of 11:30 a.m., Monday, January 13, 2014.

BRAD LITTLE, President

Attest: JENNIFER NOVAK, Secretary

SENATE JOURNAL

OF THE

IDAHO LEGISLATURE

SECOND REGULAR SESSION
SIXTY-SECOND LEGISLATURE

**EIGHTH LEGISLATIVE DAY
MONDAY, JANUARY 13, 2014**

Senate Chamber

President Little called the Senate to order at 11:30 a.m.

Roll call showed all members present except Senator Hagedorn, absent and excused.

Prayer was offered by Chaplain Keith Buhler.

The Pledge of Allegiance was led by Anna Pietz, Page.

The Senate advanced to the Third Order of Business.

Reading and Correction of the Journal

The JUDICIARY AND RULES Committee reports that the Senate Journal of the proceedings of January 10, 2014, was read and approved as corrected.

LODGE, Chairman

There being no objection, the report was adopted and ordered filed in the office of the Secretary of the Senate.

On request by Senator Davis, granted by unanimous consent, the Senate advanced to the Sixth Order of Business.

Reports of Standing Committees

January 13, 2014

The JUDICIARY AND RULES Committee reports that [SCR 132](#) has been correctly printed.

LODGE, Chairman

[SCR 132](#) was referred to the Tenth Order of Business, Motions and Resolutions, and ordered held at the Secretary's desk for one legislative day.

On request by Senator Davis, granted by unanimous consent, the Senate advanced to the Eighth Order of Business.

Messages from the Governor

January 9, 2014

The Honorable Brad Little
President of the Senate
Idaho Legislature

Dear Mr. President:

I have the honor to inform you that Jeff Agenbroad of Nampa, Idaho, was appointed as a member of the Idaho Health Insurance Exchange Board to serve a term commencing April 10, 2013, and expiring April 10, 2017.

This appointment was made subject to confirmation by the Senate. Notice of appointment is hereby given.

As Always - Idaho, *Esto Perpetua*
/s/ C.L. "Butch" Otter
Governor

The correspondence was ordered filed in the office of the Secretary of the Senate.

The Gubernatorial appointment was referred to the Commerce and Human Resources Committee.

January 9, 2014

The Honorable Brad Little
President of the Senate
Idaho Legislature

Dear Mr. President:

I have the honor to inform you that Hyatt Erstad of Boise, Idaho, was appointed as a member of the Idaho Health Insurance Exchange Board to serve a term commencing April 10, 2013, and expiring April 10, 2017.

This appointment was made subject to confirmation by the Senate. Notice of appointment is hereby given.

As Always - Idaho, *Esto Perpetua*
/s/ C.L. "Butch" Otter
Governor

The correspondence was ordered filed in the office of the Secretary of the Senate.

The Gubernatorial appointment was referred to the Commerce and Human Resources Committee.

January 9, 2014

The Honorable Brad Little
President of the Senate
Idaho Legislature

Dear Mr. President:

I have the honor to inform you that Mark Estess of Boise, Idaho, was appointed as a member of the Idaho Health Insurance Exchange Board to serve a term commencing April 10, 2013, and expiring April 10, 2017.

This appointment was made subject to confirmation by the Senate. Notice of appointment is hereby given.

As Always - Idaho, *Esto Perpetua*
/s/ C.L. "Butch" Otter
Governor

The correspondence was ordered filed in the office of the Secretary of the Senate.

The Gubernatorial appointment was referred to the Commerce and Human Resources Committee.

January 9, 2014

The Honorable Brad Little
President of the Senate
Idaho Legislature

Dear Mr. President:

I have the honor to inform you that Zelda Geyer-Sylvia of Boise, Idaho, was appointed as a member of the Idaho Health Insurance Exchange Board to serve a term commencing April 10, 2013, and expiring April 10, 2017.

This appointment was made subject to confirmation by the Senate. Notice of appointment is hereby given.

As Always - Idaho, *Esto Perpetua*
/s/ C.L. "Butch" Otter
Governor

The correspondence was ordered filed in the office of the Secretary of the Senate.

The Gubernatorial appointment was referred to the Commerce and Human Resources Committee.

January 9, 2014

The Honorable Brad Little
President of the Senate
Idaho Legislature

Dear Mr. President:

I have the honor to inform you that Margaret Henbest of Boise, Idaho, was appointed as a member of the Idaho Health Insurance Exchange Board to serve a term commencing April 10, 2013, and expiring April 10, 2017.

This appointment was made subject to confirmation by the Senate. Notice of appointment is hereby given.

As Always - Idaho, *Esto Perpetua*
/s/ C.L. "Butch" Otter
Governor

The correspondence was ordered filed in the office of the Secretary of the Senate.

The Gubernatorial appointment was referred to the Commerce and Human Resources Committee.

January 9, 2014

The Honorable Brad Little
President of the Senate
Idaho Legislature

Dear Mr. President:

I have the honor to inform you that Scott Kreiling of Boise, Idaho, was appointed as a member of the Idaho Health Insurance Exchange Board to serve a term commencing April 10, 2013, and expiring April 10, 2017.

This appointment was made subject to confirmation by the Senate. Notice of appointment is hereby given.

As Always - Idaho, *Esto Perpetua*
/s/ C.L. "Butch" Otter
Governor

The correspondence was ordered filed in the office of the Secretary of the Senate.

The Gubernatorial appointment was referred to the Commerce and Human Resources Committee.

January 9, 2014

The Honorable Brad Little
President of the Senate
Idaho Legislature

Dear Mr. President:

I have the honor to inform you that John Livingston of Boise, Idaho, was appointed as a member of the Idaho Health Insurance Exchange Board to serve a term commencing April 10, 2013, and expiring April 10, 2017.

This appointment was made subject to confirmation by the Senate. Notice of appointment is hereby given.

As Always - Idaho, *Esto Perpetua*
/s/ C.L. "Butch" Otter
Governor

The correspondence was ordered filed in the office of the Secretary of the Senate.

The Gubernatorial appointment was referred to the Commerce and Human Resources Committee.

January 9, 2014

The Honorable Brad Little
President of the Senate
Idaho Legislature

Dear Mr. President:

I have the honor to inform you that David Self of Boise, Idaho, was appointed as a member of the Idaho Health Insurance Exchange Board to serve a term commencing April 10, 2013, and expiring April 10, 2017.

This appointment was made subject to confirmation by the Senate. Notice of appointment is hereby given.

As Always - Idaho, *Esto Perpetua*
/s/ C.L. "Butch" Otter
Governor

The correspondence was ordered filed in the office of the Secretary of the Senate.

The Gubernatorial appointment was referred to the Commerce and Human Resources Committee.

January 9, 2014

The Honorable Brad Little
President of the Senate
Idaho Legislature

Dear Mr. President:

I have the honor to inform you that Kevin Settles of Boise, Idaho, was appointed as a member of the Idaho Health Insurance Exchange Board to serve a term commencing April 10, 2013, and expiring April 10, 2017.

This appointment was made subject to confirmation by the Senate. Notice of appointment is hereby given.

As Always - Idaho, *Esto Perpetua*
/s/ C.L. "Butch" Otter
Governor

The correspondence was ordered filed in the office of the Secretary of the Senate

The Gubernatorial appointment was referred to the Commerce and Human Resources Committee.

January 9, 2014

The Honorable Brad Little
President of the Senate
Idaho Legislature

Dear Mr. President:

I have the honor to inform you that Tom Shores of Boise, Idaho, was appointed as a member of the Idaho Health Insurance Exchange Board to serve a term commencing April 10, 2013, and expiring April 10, 2017.

This appointment was made subject to confirmation by the Senate. Notice of appointment is hereby given.

As Always - Idaho, *Esto Perpetua*
/s/ C.L. "Butch" Otter
Governor

The correspondence was ordered filed in the office of the Secretary of the Senate.

The Gubernatorial appointment was referred to the Commerce and Human Resources Committee

January 9, 2014

The Honorable Brad Little
President of the Senate
Idaho Legislature

Dear Mr. President:

I have the honor to inform you that Karen Vauk of Boise, Idaho, was appointed as a member of the Idaho Health Insurance Exchange Board to serve a term commencing April 10, 2013, and expiring April 10, 2017.

This appointment was made subject to confirmation by the Senate. Notice of appointment is hereby given.

As Always - Idaho, *Esto Perpetua*
/s/ C.L. "Butch" Otter
Governor

The correspondence was ordered filed in the office of the Secretary of the Senate.

The Gubernatorial appointment was referred to the Commerce and Human Resources Committee.

January 9, 2014

The Honorable Brad Little
President of the Senate
Idaho Legislature

Dear Mr. President:

I have the honor to inform you that Fernando Veloz of Meridian, Idaho, was appointed as a member of the Idaho Health Insurance Exchange Board to serve a term commencing April 10, 2013, and expiring April 10, 2017.

This appointment was made subject to confirmation by the Senate. Notice of appointment is hereby given.

As Always - Idaho, *Esto Perpetua*
/s/ C.L. "Butch" Otter
Governor

The correspondence was ordered filed in the office of the Secretary of the Senate.

The Gubernatorial appointment was referred to the Commerce and Human Resources Committee.

January 9, 2014

The Honorable Brad Little
President of the Senate
Idaho Legislature

Dear Mr. President:

I have the honor to inform you that Stephen Weeg of Pocatello, Idaho, was appointed as a member of the Idaho Health Insurance Exchange Board to serve a term commencing April 10, 2013, and expiring April 10, 2017.

This appointment was made subject to confirmation by the Senate. Notice of appointment is hereby given.

As Always - Idaho, *Esto Perpetua*
/s/ C.L. "Butch" Otter
Governor

The correspondence was ordered filed in the office of the Secretary of the Senate.

The Gubernatorial appointment was referred to the Commerce and Human Resources Committee.

January 10, 2014

The Honorable Brad Little
President of the Senate
Idaho Legislature

Dear Mr. President:

I have the honor to inform you that Brad Corkill of Cataldo, Idaho, was appointed as a member of the Idaho Fish and Game Commission to serve a term commencing July 1, 2013, and expiring June 30, 2017.

This appointment was made subject to confirmation by the Senate. Notice of appointment is hereby given.

As Always - Idaho, *Esto Perpetua*
/s/ C.L. "Butch" Otter
Governor

The correspondence was ordered filed in the office of the Secretary of the Senate.

The Gubernatorial appointment was referred to the Resources and Environment Committee.

January 10, 2014

The Honorable Brad Little
President of the Senate
Idaho Legislature

Dear Mr. President:

I have the honor to inform you that Mark Doerr of Kimberly, Idaho, was appointed as a member of the Idaho Fish and Game Commission to serve a term commencing July 1, 2013, and expiring June 30, 2016.

This appointment was made subject to confirmation by the Senate. Notice of appointment is hereby given.

As Always - Idaho, *Esto Perpetua*
/s/ C.L. "Butch" Otter
Governor

The correspondence was ordered filed in the office of the Secretary of the Senate.

The Gubernatorial appointment was referred to the Resources and Environment Committee.

Senator Hagedorn was recorded present at this order of business.

January 10, 2014

The Honorable Brad Little
President of the Senate
Idaho Legislature

Dear Mr. President:

I have the honor to inform you that Tom Kealey of Boise, Idaho, was reappointed as a member of the Idaho Endowment Fund Investment Board to serve a term commencing April 11, 2013, and expiring April 11, 2017.

This reappointment was made subject to confirmation by the Senate. Notice of reappointment is hereby given.

As Always - Idaho, *Esto Perpetua*
/s/ C.L. "Butch" Otter
Governor

The correspondence was ordered filed in the office of the Secretary of the Senate.

The Gubernatorial appointment was referred to the State Affairs Committee.

January 10, 2014

The Honorable Brad Little
President of the Senate
Idaho Legislature

Dear Mr. President:

I have the honor to inform you that Susan Simmons of Boise, Idaho, was reappointed as a member of the Idaho Endowment Fund Investment Board to serve a term commencing April 11, 2013, and expiring April 11, 2017.

This reappointment was made subject to confirmation by the Senate. Notice of reappointment is hereby given.

As Always - Idaho, *Esto Perpetua*
/s/ C.L. "Butch" Otter
Governor

The correspondence was ordered filed in the office of the Secretary of the Senate.

The Gubernatorial appointment was referred to the State Affairs Committee.

January 10, 2014

The Honorable Brad Little
President of the Senate
Idaho Legislature

Dear Mr. President:

I have the honor to inform you that Richelle Sugiyama of Boise, Idaho, was reappointed as a member of the Idaho Endowment Fund Investment Board to serve a term commencing April 11, 2013, and expiring April 11, 2017.

This reappointment was made subject to confirmation by the Senate. Notice of reappointment is hereby given.

As Always - Idaho, *Esto Perpetua*
/s/ C.L. "Butch" Otter
Governor

The correspondence was ordered filed in the office of the Secretary of the Senate.

The Gubernatorial appointment was referred to the State Affairs Committee.

On request by Senator Davis, granted by unanimous consent, the Senate advanced to the Fifteenth Order of Business.

Miscellaneous Business

On motion by Senator Davis, seconded by Senator Stennett, by voice vote, the Senate adjourned at 11:40 a.m. until the hour of 11:30 a.m., Tuesday, January 14, 2014.

BRAD LITTLE, President

Attest: JENNIFER NOVAK, Secretary

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Miscellaneous Business

On motion by Senator Davis, seconded by Senator Stennett, by voice vote, the Senate adjourned at 11:40 a.m. until the hour of 11:30 a.m., Wednesday, January 15, 2014.

BRENT HILL, President Pro Tempore

Attest: JENNIFER NOVAK, Secretary

NINTH LEGISLATIVE DAY
TUESDAY, JANUARY 14, 2014

Senate Chamber

President Pro Tempore Hill called the Senate to order at 11:30 a.m.

Roll call showed all members present except Senator McKenzie, absent and formally excused by the Chair.

Prayer was offered by Chaplain Keith Buhler.

The Pledge of Allegiance was led by Jacob Price, Page.

The Senate advanced to the Third Order of Business.

Reading and Correction of the Journal

The JUDICIARY AND RULES Committee reports that the Senate Journal of the proceedings of January 13, 2014, was read and approved as corrected.

LODGE, Chairman

There being no objection, the report was adopted and ordered filed in the office of the Secretary of the Senate.

On request by Senator Davis, granted by unanimous consent, the Senate advanced to the Eleventh Order of Business.

Introduction, First Reading, and Reference of Bills, House Petitions, Resolutions, and Memorials

S 1201 BY HEALTH AND WELFARE COMMITTEE AN ACT

RELATING TO MOTOR VEHICLE REGISTRATION; AMENDING SECTION 49-402, IDAHO CODE, TO REMOVE A PROVISION RELATING TO CONTRIBUTIONS TO THE ORGAN DONATION CONTRIBUTION FUND AND TO MAKE A TECHNICAL CORRECTION; AMENDING SECTION 49-401B, IDAHO CODE, TO PROVIDE A CORRECT CODE REFERENCES AND TO MAKE A TECHNICAL CORRECTION; AND AMENDING SECTION 67-4223A, IDAHO CODE, TO PROVIDE A CORRECT CODE REFERENCE.

[S 1201](#) was introduced, read the first time at length, and referred to the Judiciary and Rules Committee for printing.

On request by Senator Davis, granted by unanimous consent, the Senate advanced to the Fifteenth Order of Business.

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TENTH LEGISLATIVE DAY
WEDNESDAY, JANUARY 15, 2014

Senate Chamber

President Little called the Senate to order at 11:30 a.m.

Roll call showed all members present except Senator McKenzie, absent and formally excused by the Chair; and Senator Buckner-Webb, absent and excused.

Prayer was offered by Chaplain Keith Buhler.

The Pledge of Allegiance was led by Jordan Price, Page.

The Senate advanced to the Third Order of Business.

Reading and Correction of the Journal

The JUDICIARY AND RULES Committee reports that the Senate Journal of the proceedings of January 14, 2014, was read and approved as corrected.

LODGE, Chairman

There being no objection, the report was adopted and ordered filed in the office of the Secretary of the Senate.

On request by Senator Davis, granted by unanimous consent, the Senate advanced to the Sixth Order of Business.

Reports of Standing Committees

January 15, 2014

The JUDICIARY AND RULES Committee reports that [S 1201](#) has been correctly printed.

LODGE, Chairman

[S 1201](#) was referred to the Health and Welfare Committee.

On request by Senator Davis, granted by unanimous consent, the Senate advanced to the Tenth Order of Business.

Motions and Resolutions

The President announced that [SCR 132](#) was before the Senate for final consideration, the question being, "Shall the resolution be adopted?"

On motion by Senator Davis, seconded by Senator Werk, [SCR 132](#) was adopted by voice vote, title was approved, and the resolution ordered transmitted to the House.

The Senate advanced to the Eleventh Order of Business.

Introduction, First Reading, and Reference of Bills, House Petitions, Resolutions, and Memorials

President Little called President Pro Tempore Hill to the Chair.

S 1202 BY COMMERCE AND HUMAN RESOURCES COMMITTEE

AN ACT

RELATING TO THE PUBLIC EMPLOYEE RETIREMENT SYSTEM; AMENDING SECTION 59-1306, IDAHO CODE, TO INCLUDE ADDITIONAL REFERENCES TO THE INTERNAL REVENUE CODE, TO REMOVE ARCHAIC REFERENCE TO AN EFFECTIVE DATE, TO MAKE TECHNICAL CORRECTIONS AND TO CLARIFY THAT A MARRIAGE MUST BE VALID OR MUST BE RECOGNIZED UNDER THE LAWS AND CONSTITUTION OF THE STATE OF IDAHO; AND PROVIDING SEVERABILITY.

S 1203 BY COMMERCE AND HUMAN RESOURCES COMMITTEE

AN ACT

RELATING TO THE STATE PERSONNEL SYSTEM; AMENDING SECTION 67-5302, IDAHO CODE, TO REVISE THE DEFINITIONS OF THE TERMS "HOLIDAY" AND "OVERTIME WORK," TO ADD A DEFINITION OF "NONEXEMPT EMPLOYEE" AND TO MAKE TECHNICAL CORRECTIONS.

S 1204 BY COMMERCE AND HUMAN RESOURCES COMMITTEE

AN ACT

RELATING TO RIGHTS AND PRIVILEGES OF VETERANS AND THE STATE EMPLOYEE PERSONNEL SYSTEM; AMENDING SECTION 65-504, IDAHO CODE, TO REMOVE A TERM RELATING TO THE DETERMINATION OF VETERANS' PREFERENCE AND TO MAKE TECHNICAL CORRECTIONS; AND AMENDING SECTION 67-5309, IDAHO CODE, TO REMOVE A TERM RELATING TO THE DETERMINATION OF VETERANS' PREFERENCE.

S 1205 BY COMMERCE AND HUMAN RESOURCES COMMITTEE

AN ACT

RELATING TO IDAHO REAL ESTATE LICENSE LAW; AMENDING SECTION 54-2004, IDAHO CODE, TO DEFINE A TERM AND TO REVISE A DEFINITION; AND AMENDING SECTION 54-2018, IDAHO CODE, TO CLARIFY A TIME ZONE AND TO CLARIFY A PERIOD OF TIME.

S 1206 BY COMMERCE AND HUMAN RESOURCES COMMITTEE

AN ACT

RELATING TO IDAHO REAL ESTATE LICENSE LAW; AMENDING SECTION 54-2004, IDAHO CODE, TO DEFINE A TERM, TO REVISE DEFINITIONS AND TO PROVIDE CORRECT CODE REFERENCES; AMENDING SECTION 54-2022, IDAHO CODE, TO REMOVE REFERENCES TO EQUIVALENT IN AVAILABLE CORRESPONDENCE

HOURS; AMENDING SECTION 54-2023, IDAHO CODE, TO REVISE PROVISIONS RELATING TO CONTINUING EDUCATION REQUIREMENTS; AMENDING SECTION 54-2025, IDAHO CODE, TO PROVIDE A CORRECT CODE REFERENCE; AMENDING SECTION 54-2026, IDAHO CODE, TO REVISE PROVISIONS RELATING TO CERTIFICATION OF COURSE PROVIDERS; AMENDING SECTION 54-2028, IDAHO CODE, TO REVISE PROVISIONS RELATING TO A TERM OF PROVIDER CERTIFICATION AND RENEWAL; AND AMENDING SECTION 54-2059, IDAHO CODE, TO REVISE PROVISIONS RELATING TO THE EXPENDITURE OF CERTAIN CIVIL PENALTIES.

S 1207

BY TRANSPORTATION COMMITTEE

AN ACT

RELATING TO IDAHO WILDLIFE SPECIAL PLATES; AMENDING SECTION 49-417, IDAHO CODE, TO CHANGE THE NAME OF THE ELK WILDLIFE SPECIAL PLATE TO THE MAMMAL WILDLIFE SPECIAL PLATE AND TO CHANGE THE NAME OF THE CUTTHROAT WILDLIFE SPECIAL PLATE TO THE FISH WILDLIFE SPECIAL PLATE.

S 1208

BY TRANSPORTATION COMMITTEE

AN ACT

RELATING TO COMMERCIAL DRIVER'S LICENSES; AMENDING SECTION 49-104, IDAHO CODE, TO REVISE DEFINITIONS AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 49-105, IDAHO CODE, TO REVISE DEFINITIONS; AMENDING SECTION 49-110, IDAHO CODE, TO REVISE DEFINITIONS; AMENDING SECTION 49-115, IDAHO CODE, TO REVISE DEFINITIONS; AMENDING SECTION 49-123, IDAHO CODE, TO REVISE DEFINITIONS AND TO MAKE A TECHNICAL CORRECTION; AMENDING SECTION 49-305, IDAHO CODE, TO ESTABLISH PROVISIONS RELATING TO COMMERCIAL LEARNER'S PERMITS; AMENDING SECTION 49-306, IDAHO CODE, TO ESTABLISH PROVISIONS RELATING TO APPLICATION FOR A COMMERCIAL LEARNER'S PERMIT; AMENDING SECTION 49-306, IDAHO CODE, AS AMENDED BY SECTION 2, CHAPTER 354, LAWS OF 2013, TO ESTABLISH PROVISIONS RELATING TO APPLICATION FOR A COMMERCIAL LEARNER'S PERMIT; AMENDING SECTION 49-313, IDAHO CODE, TO ESTABLISH PROVISIONS RELATING TO A CERTAIN EXAMINATION; AND PROVIDING AN EFFECTIVE DATE.

S 1209

BY TRANSPORTATION COMMITTEE

AN ACT

RELATING TO DRIVER'S LICENSES AND IDENTIFICATION CARDS; AMENDING SECTION 49-307, IDAHO CODE, TO REVISE PROVISIONS RELATING TO A PERMIT; AMENDING SECTION 49-310, IDAHO CODE, TO REVISE PROVISIONS RELATING TO CERTAIN APPLICATIONS; AMENDING SECTION 49-313, IDAHO CODE, TO REVISE PROVISIONS RELATING TO RETAKING A TEST; AMENDING SECTION 49-319, IDAHO CODE, TO ESTABLISH PROVISIONS RELATING TO A DRIVER'S LICENSE ISSUED TO CERTAIN PERSONS WORKING IN A FOREIGN COUNTRY AND RELATING TO IMMEDIATE FAMILY MEMBERS; AMENDING SECTION 49-2444, IDAHO CODE, TO ESTABLISH PROVISIONS RELATING TO AN IDENTIFICATION CARD ISSUED TO

CERTAIN PERSONS WORKING IN A FOREIGN COUNTRY AND RELATING TO IMMEDIATE FAMILY MEMBERS AND TO PROVIDE A CORRECT CODE REFERENCE; AND AMENDING SECTION 49-2444, IDAHO CODE, AS AMENDED BY SECTION 2, CHAPTER 92, LAWS OF 2013, TO ESTABLISH PROVISIONS RELATING TO AN IDENTIFICATION CARD ISSUED TO CERTAIN PERSONS WORKING IN A FOREIGN COUNTRY AND RELATING TO IMMEDIATE FAMILY MEMBERS AND TO PROVIDE A CORRECT CODE REFERENCE.

[S 1202](#), [S 1203](#), [S 1204](#), [S 1205](#), [S 1206](#), [S 1207](#), [S 1208](#), and [S 1209](#) were introduced, read the first time at length, and referred to the Judiciary and Rules Committee for printing.

On request by Senator Davis, granted by unanimous consent, the Senate advanced to the Fifteenth Order of Business.

Miscellaneous Business

On motion by Senator Davis, seconded by Senator Stennett, by voice vote, the Senate adjourned at 12:20 p.m. until the hour of 11 a.m., Thursday, January 16, 2014.

BRENT HILL, President Pro Tempore

Attest: JENNIFER NOVAK, Secretary

SENATE JOURNAL

OF THE

IDAHO LEGISLATURE

SECOND REGULAR SESSION
SIXTY-SECOND LEGISLATURE

**ELEVENTH LEGISLATIVE DAY
THURSDAY, JANUARY 16, 2014**

Senate Chamber

President Pro Tempore Hill called the Senate to order at 11 a.m.

Roll call showed all members present except Senator Buckner-Webb, absent and formally excused by the Chair; and Senator Cameron, absent and excused.

Prayer was offered by Chaplain Keith Buhler.

The Pledge of Allegiance was led by Aaron Sweet, Page.

The Senate advanced to the Third Order of Business.

Reading and Correction of the Journal

The JUDICIARY AND RULES Committee reports that the Senate Journal of the proceedings of January 15, 2014, was read and approved as corrected.

LODGE, Chairman

There being no objection, the report was adopted and ordered filed in the office of the Secretary of the Senate.

On request by Senator Davis, granted by unanimous consent, the Senate advanced to the Sixth Order of Business.

Reports of Standing Committees

January 16, 2014

The JUDICIARY AND RULES Committee reports that [S 1202](#), [S 1203](#), [S 1204](#), [S 1205](#), [S 1206](#), [S 1207](#), [S 1208](#), and [S 1209](#) have been correctly printed.

LODGE, Chairman

[S 1202](#), [S 1203](#), [S 1204](#), [S 1205](#), and [S 1206](#) were referred to the Commerce and Human Resources Committee.

[S 1207](#), [S 1208](#), and [S 1209](#) were referred to the Transportation Committee.

On request by Senator Davis, granted by unanimous consent, the Senate advanced to the Eleventh Order of Business.

Introduction, First Reading, and Reference of Bills, House Petitions, Resolutions, and Memorials

S 1210 BY FINANCE COMMITTEE AN ACT

RELATING TO APPROPRIATIONS AND TRANSFERS OF FUNDS; PROVIDING AN APPROPRIATION AND A TRANSFER OF FUNDS TO THE FIRE SUPPRESSION DEFICIENCY FUND; PROVIDING AN APPROPRIATION AND A TRANSFER OF FUNDS TO THE PEST CONTROL DEFICIENCY FUND; PROVIDING AN APPROPRIATION AND A TRANSFER OF FUNDS TO THE HAZARDOUS SUBSTANCE EMERGENCY RESPONSE FUND; AND DECLARING AN EMERGENCY.

[S 1210](#) was introduced, read the first time at length, and referred to the Judiciary and Rules Committee for printing.

Senator Cameron was recorded present at this order of business.

On request by Senator Davis, granted by unanimous consent, the Senate advanced to the Fifteenth Order of Business.

Miscellaneous Business

On motion by Senator Davis, seconded by Senator Stennett, by voice vote, the Senate adjourned at 11:15 p.m. until the hour of 11:30 a.m., Friday, January 17, 2014.

BRENT HILL, President Pro Tempore

Attest: JENNIFER NOVAK, Secretary

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SECOND REGULAR SESSION
SIXTY-SECOND LEGISLATURE

TWELFTH LEGISLATIVE DAY
FRIDAY, JANUARY 17, 2014

Senate Chamber

President Little called the Senate to order at 11:30 a.m.

Roll call showed all members present except Senators Bair, Cameron and Stennett, absent and formally excused by the Chair.

Prayer was offered by Chaplain Keith Buhler.

The Pledge of Allegiance was led by Hannah Utley, Page.

The Senate advanced to the Third Order of Business.

Reading and Correction of the Journal

The JUDICIARY AND RULES Committee reports that the Senate Journal of the proceedings of January 16, 2014, was read and approved as corrected.

LODGE, Chairman

There being no objection, the report was adopted and ordered filed in the office of the Secretary of the Senate.

On request by Senator Davis, granted by unanimous consent, the Senate advanced to the Sixth Order of Business.

Reports of Standing Committees

January 17, 2014

The JUDICIARY AND RULES Committee reports that [S 1210](#) has been correctly printed.

LODGE, Chairman

[S 1210](#) was referred to the Finance Committee.

On request by Senator Davis, granted by unanimous consent, the Senate advanced to the Eleventh Order of Business.

Introduction, First Reading, and Reference of Bills, House Petitions, Resolutions, and Memorials

S 1211 **BY WERK** AN ACT

RELATING TO PUBLIC WORKS CONTRACTS; TO PROVIDE A SHORT TITLE; REPEALING CHAPTER 10, TITLE 44, IDAHO CODE, RELATING TO PUBLIC WORKS CONTRACTS; AMENDING TITLE 44, IDAHO CODE, BY THE ADDITION OF A NEW CHAPTER 10, TITLE 44, IDAHO CODE, TO DEFINE TERMS, TO PROVIDE

PREFERENCE FOR RESIDENT CONTRACTORS WITH LIMITATIONS, TO PROVIDE FOR DECERTIFICATION, TO PROVIDE DENIAL OF APPLICATION FOR RESIDENCY, TO PROVIDE LIMITATION ON SUBCONTRACTING BY RESIDENT CONTRACTORS, TO PROVIDE PREFERENCE FOR IDAHO LABOR AND MATERIALS IN CONTRACTS, TO PROVIDE PREFERENCE FOR IDAHO MATERIALS AND IDAHO AGRICULTURAL PRODUCTS REQUIRED IN PUBLIC PURCHASES WITH EXCEPTIONS, TO PROVIDE FOR STATEMENT OF IDAHO MATERIALS PREFERENCE IN REQUESTS FOR BIDS AND PROPOSALS, TO REQUIRE IDAHO MATERIALS PREFERENCE REQUIRED IN CONSTRUCTION OR MAINTENANCE OF PUBLIC STRUCTURES AND TO PROVIDE FOR GOVERNING OF FEDERAL FUNDS BY FEDERAL LAW; DECLARING AN EMERGENCY AND PROVIDING APPLICATION.

S 1212 **BY WERK** AN ACT

RELATING TO THE PROTECT IDAHO JOBS ACT; PROVIDING A SHORT TITLE; AMENDING TITLE 72, IDAHO CODE, BY THE ADDITION OF A NEW CHAPTER 12, TITLE 72, IDAHO CODE, TO DEFINE TERMS, TO PROVIDE DUTIES OF EMPLOYERS RELOCATING OPERATIONS TO A FOREIGN COUNTRY, TO PROVIDE DUTIES OF THE DIRECTOR OF THE DEPARTMENT OF LABOR, TO PROVIDE CONDITIONS FOR INELIGIBILITY OF CERTAIN EMPLOYERS TO RECEIVE GOVERNMENTAL BENEFITS, TO PROVIDE THE EFFECT ON CERTAIN GOVERNMENTAL BENEFITS AND TO PROVIDE FOR RULES; AND PROVIDING SEVERABILITY.

S 1213 **BY LOCAL GOVERNMENT AND TAXATION** **COMMITTEE** AN ACT

RELATING TO PROPERTY EXEMPT FROM TAXATION; AMENDING SECTION 63-602, IDAHO CODE, TO REVISE A DEFINITION AND ADD WELLS DRILLED FOR THE PRODUCTION OF OIL, GAS OR HYDROCARBON CONDENSATE TO THOSE EXEMPTIONS FOR WHICH ANNUAL APPLICATION AND APPROVAL BY THE BOARD OF COUNTY COMMISSIONERS APPLY; DECLARING AN EMERGENCY AND PROVIDING RETROACTIVE APPLICATION.

[S 1211](#), [S 1212](#), and [S 1213](#) were introduced, read the first time at length, and referred to the Judiciary and Rules Committee for printing.

On request by Senator Davis, granted by unanimous consent, the Senate advanced to the Fifteenth Order of Business.

Miscellaneous Business

On motion by Senator Davis, seconded by Senator Werk, by voice vote, the Senate adjourned at 11:45 a.m. until the hour of 11:30 a.m., Monday, January 20, 2014.

BRAD LITTLE, President

Attest: JENNIFER NOVAK, Secretary

SENATE JOURNAL

OF THE

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SECOND REGULAR SESSION
SIXTY-SECOND LEGISLATURE

**FIFTEENTH LEGISLATIVE DAY
MONDAY, JANUARY 20, 2014**

Senate Chamber

President Little called the Senate to order at 11:30 a.m.

Roll call showed all members present.

Prayer was offered by Chaplain Keith Buhler.

The Pledge of Allegiance was led by Kortni Wells, Page.

The Senate advanced to the Third Order of Business.

Reading and Correction of the Journal

The JUDICIARY AND RULES Committee reports that the Senate Journal of the proceedings of January 17, 2014, was read and approved as corrected.

LODGE, Chairman

There being no objection, the report was adopted and ordered filed in the office of the Secretary of the Senate.

On request by Senator Davis, granted by unanimous consent, the Senate advanced to the Sixth Order of Business.

Reports of Standing Committees

January 20, 2014

The JUDICIARY AND RULES Committee reports that [S 1211](#), [S 1212](#), and [S 1213](#) have been correctly printed.

LODGE, Chairman

[S 1211](#) and [S 1212](#) were referred to the Commerce and Human Resources Committee.

[S 1213](#) was referred to the Local Government and Taxation Committee.

January 17, 2014

The FINANCE Committee reports out [S 1210](#) with the recommendation that it do pass.

CAMERON, Chairman

[S 1210](#) was filed for second reading.

On request by Senator Davis, granted by unanimous consent, the Senate advanced to the Eleventh Order of Business.

Introduction, First Reading, and Reference of Bills, House Petitions, Resolutions, and Memorials

S 1214

BY JUDICIARY AND RULES COMMITTEE

AN ACT

RELATING TO PROCEEDINGS IN MAGISTRATE'S DIVISION; AMENDING SECTION 19-3915, IDAHO CODE, TO REMOVE ARCHAIC LANGUAGE.

S 1215

BY JUDICIARY AND RULES COMMITTEE

AN ACT

RELATING TO THE CHILD PROTECTIVE ACT; AMENDING SECTION 16-1622, IDAHO CODE, TO PROVIDE CORRECT CODE REFERENCES.

[S 1214](#) and [S 1215](#) were introduced, read the first time at length, and referred to the Judiciary and Rules Committee for printing.

On request by Senator Davis, granted by unanimous consent, the Senate advanced to the Fifteenth Order of Business.

Miscellaneous Business

On motion by Senator Davis, seconded by Senator Stennett, by voice vote, the Senate adjourned at 11:55 a.m. until the hour of 11 a.m., Tuesday, January 21, 2014.

BRAD LITTLE, President

Attest: JENNIFER NOVAK, Secretary

SENATE JOURNAL

OF THE

IDAHO LEGISLATURE

SECOND REGULAR SESSION
SIXTY-SECOND LEGISLATURE

SIXTEENTH LEGISLATIVE DAY
TUESDAY, JANUARY 21, 2014

Senate Chamber

President Pro Tempore Hill called the Senate to order at 11 a.m.

Roll call showed all members present except Senator McKenzie, absent and formally excused by the Chair.

Prayer was offered by Chaplain Keith Buhler.

The Pledge of Allegiance was led by Samantha Clay, Page.

The Senate advanced to the Third Order of Business.

Reading and Correction of the Journal

The JUDICIARY AND RULES Committee reports that the Senate Journal of the proceedings of January 20, 2014, was read and approved as corrected.

LODGE, Chairman

There being no objection, the report was adopted and ordered filed in the office of the Secretary of the Senate.

President Little assumed the Chair.

On request by Senator Davis, granted by unanimous consent, the Senate advanced to the Tenth Order of Business.

Motions and Resolutions

On request by Senator Davis, granted by unanimous consent, President Little appointed a committee consisting of Senator Lakey, Chairman, and Senator Werk to escort Chief Justice Roger S. Burdick into the Senate Chamber where he delivered the following **State of the Judiciary Address**:

Mr. President, Mr. President Pro Tem, and distinguished members of the Idaho Senate, my colleagues on the Supreme Court and Court of Appeals, and fellow Idahoans.

2013 was a remarkable year for the Idaho's courts. As I prepared these remarks my biggest challenge was organizing succinctly the work of our judges, county clerks, court personnel, and our thirty-plus committees made up of citizens, lawyers, judges, and others with specialized expertise.

I start with congratulations to the Legislature, for wisely identifying two of the chronic problems that impact Idahoans and the judicial system. Thank you for the interim committee on public defender reform as well as the hard work undertaken by your criminal justice reinvestment interim committee in concert with the Council of State Governments Justice Center.

Earlier this year, it was my privilege to address the public defender reform interim committee. I shared insights not only on the demanding and complex work performed by public defenders, but more importantly showcased Idaho's early and strong commitment to criminal defense of indigents - a full forty years before the 1963 landmark United States Supreme Court case of *Gideon v. Wainwright*.

In *State v. Montroy*, 37 Idaho 684 (1923) Idaho emphatically said:

It is the public policy of this state, disclosed by constitutional guarantees as well as by numerous provisions of the statutes, to accord to every person accused of a crime, not only a fair and impartial trial, but every reasonable opportunity to prepare his defense and to vindicate his innocence upon a trial. In a case of indigent persons accused of crime, the court must assign counsel to the defense at public expense.

It has been the law of this state for 90 years - yes 90 years - that every person is entitled to a fair and impartial trial with time to prepare their defense. The court must assign counsel at public expense for indigents.

This was not a case foisted on Idaho by federal mandate of the United States Supreme Court or Congress, but our own court interpreting our own constitution and statutes - statutes dating back to territorial days.

Idaho's public defender system today has significant deficiencies; it is a patchwork of offices and contracts paid for by our already cash starved counties. I congratulate the Public Defender Interim Committee for recommending legislation that will provide a solid first step in meeting our constitutional requirements.

The appointment of a state Public Defense Commission with significant duties and responsibilities under your oversight will further this important work.

Eliminating single fixed fee contracts, providing training funds for defending attorneys, and authorizing the counties to establish public defender offices or contracts that best meet the needs of their communities are positive developments. For the future, we must maintain our commitment to Idaho's constitution and history. The Council of State Government Justice Reinvestment Initiative has been an exciting and illuminating experience. The analysis of Idaho's criminal justice system has identified many areas of strength and others that need work.

A few observations: I applaud the energy, cooperation and good faith of all three branches of government to contribute to this analysis. I especially want to thank our district judges for their candor, interest and insights in providing substance to the skeleton of data.

The final report provides an excellent road map to guide your budget and policy decisions; to keep our communities safe, use evidence based practices to reduce recidivism, and hold offenders accountable, yet provide them the tools to succeed. I have long advocated for community based alternatives, strong probation services, and necessary treatment. The combination of these policies keeps families together, persons on the job, and protects citizens.

It seems like every year I have been before you, the Idaho Courts have been acknowledged nationally by awards to its members or to the judiciary as a whole. 2013 was no different.

Recently, Idaho was recognized nationally for expertise in our domestic violence courts. The Ada County domestic violence court was one of only three courts in the nation chosen for a new mentor court initiative. It will serve as a role model and disseminate proven strategies to other courts across the nation. In 2013, Domestic Violence Courts statewide assisted over 1100 victims in both criminal and civil cases and monitored over 1400 offenders; holding them accountable and keeping our communities and victims safe.

Many of these difficult cases involving victims of domestic violence require the assistance of legal counsel in related civil cases. I am pleased to report that the new director of Idaho Legal Aid has worked closely with the Supreme Court to develop a new and much needed proposal to provide legal representation to those victims as well as to abused and neglected children and senior citizens.

Secondly, the Foundation for Government Accountability ranked Idaho's child welfare system number one in the nation. They measured the cycle of abuse and neglect, how quickly children returned home safely, and whether children returned to a permanent family within twenty-four months from removal from their home. This recognition is a result of focused efforts by the Idaho Courts, and other key child protection agencies over the last decade. These efforts pay big dividends now and in the future – for children, families, schools, communities – all of us benefit.

Family child protective proceedings are only one portion of the larger area of family court services. The magistrate division and Family Court Services offices responded to over 70,000 requests for information and services - a 41% increase since 2010. Our Court Assistance Offices responded to an additional 50,000 requests for forms and services, and family law continued to be the primary area of need. Our court assistance website received approximately 5.75 million hits in 2013.

I'd like to report on our problem solving courts. To date Idaho has 67 problem solving Courts addressing drug, alcohol and mental health issues for adults, veterans and minors. In 2013, almost 600 graduates joined the over 5,000 graduates who have successfully completed the rigorous requirements of problem solving courts since 1998. The majority were felony offenders, and if not for this criminal sentencing alternative, they would have been sentenced to the penitentiary or county jail. Today we proudly announce eighteen new babies born drug-free to drug court mothers this past year bringing the total to over 300.

We continue to review our basic procedures in all court cases through our *Advancing Justice Initiative*. The goals of this effort have been to conduct a critical review of Idaho's time standards for case processing, to develop a state-wide case management plan, to assist with the development of case management plans for each judicial district. We continue to review all court rules and statutes to identify potential barriers to timely case processing.

Advancing Justice is not about speed for the sake of speed, nor does it take away an individual judge's discretion to allow further time in cases involving significant issues. We are not trying to pound square pegs into round holes. We are, however, addressing a much needed analysis of our case management time standard expectations in light of advances in other areas of the court system.

A significant requirement of our *Advancing Justice Initiative* will be the implementation of our new technology solution. You have long supported statewide court technology and we thank

you. Our existing twenty-five year old system is at "end-of-life" and we must plan to move to a new one. 2013 was a foundational year in which we prepared for the transformation of technology throughout our courts. This new technology strategy will improve access to court data, enhance integrations with the court's justice partners, and maximize the efficiency and effectiveness of our court business practices.

Our business plan will modernize the case management system for trial courts and appellate courts, helping both our efficiency as well as agencies and citizens who use our website and repository daily.

We will be transitioning to electronic filing of all court records as well as electronic storage of court records. Envision a paperless file that can immediately move seamlessly among the Idaho trial courts and to the appellate courts. We are also leveraging a statewide network infrastructure in partnership with other branches of Idaho government and we need to maximize the use of video conferencing as a goal of the business plan. This new technology will provide cost savings to taxpayers, optimize the use of court personnel at the state and county level, free up limited physical space from paper records in our county courthouses and storage facilities, and greatly improve the court's ability to serve justice throughout the state.

It is now time to come to you and the Governor for the funding of that business plan. It can be financed with a combination of multiple, one time general funds and increased technology court costs. We stand ready to provide all financial options.

The "silver tsunami" is another significant internal analysis of what we are doing and how we are doing it. I have reported for the last two years about our efforts to get ahead of the "graying" of America. Now others throughout the nation are analyzing this "silver tsunami" in terms of health care, social networks, and changes in all walks of life and levels of government concerning systems and infrastructure.

By 2030 Idaho's total population is projected to increase by 52 percent while the number of individuals over the age of 65 will grow by 147 percent. There were over 1200 new guardianship or conservatorships filed this past year. Once a guardian has been appointed the monitoring will often continue for years.

These cases must be actively managed and monitored by our courts. It is vital that we have mechanisms to insure monitoring on a qualitative and quantitative basis, that newly appointed guardians or conservators understand their responsibilities, and that we determine the future direction and statutes necessary to protect the citizens of Idaho.

This is not a small undertaking. Just on the financial side, in 2013, clerks of the courts submitted over 2400 annual reports for court review and those reports reflect almost \$375 million dollars of assets under the care of another person, an increase of 15 percent over the prior year.

The judiciary's commitment to our elderly Idahoans is commensurate to our dedicated efforts on behalf of Idaho's children.

Like the rest of America, the face of the judiciary is changing. In 2013, 5 district and magistrate judges retired. Sixty percent of district judges statewide and eight of the nine appellate judges will be eligible to retire within the next five years.

To meet this demographic inevitability, the Supreme Court and the Judicial Council have worked to encourage and streamline the recruitment of judges. The Judicial Council has instituted pre-interview panels of local district judges, human resource officers, the judicial council executive director, and others. These panels inform lawyers in a specific judicial district not only of vacancies but also of the rewards and challenges of becoming a district judge. In 2013, I invited each legislator in a judicial district to attend the public interviews, so you could see exactly who the candidates are and the interview process. I have continued this practice in 2014 for the upcoming Ada and Nez Perce county vacancies.

Even with these improvements, we are facing a vexing problem in attracting the highest caliber applicants for each vacant position. Since 2000, there have been 43 district judges appointed. The Governor has only received a full slate of four candidates 30% of the time. In the State of the State address, Governor Otter touched on the needed ability to attract highly qualified Idahoans from the "cabinet to the courts." Through state bar surveys, anecdotal exit interviews, and informal discussions with lawyers and judges throughout the state, the key barrier to recruiting and retaining the highest caliber district judges is salary.

Throughout this session we will be discussing with you judicial recruitment and retention challenges. Some advancement must be made. Idahoans deserve, and businesses demand, a highly competent, experienced judiciary. It is vitally important for the future of Idahoans in the decades to come that we act now as this demographic change is upon us. As a court, we have tried to be proactive and creative in encouraging recruitment of district judges. It is now up to the legislature to place a value on the individuals who will be making the state's most important legal decisions. Judges are vitally important: they keep our communities safe, protect our children, families, and elderly, and insure businesses have an experienced bench to resolve complex cases. We can, and must act now.

In closing I would like to say none of this gets done without the dedication of our judges in Idaho. They take the bench and sacrifice associations, activities as well as they restrict financial opportunities to act within their Code of Conduct. This report scratches just the surface of their accomplishments and doesn't hint at the sacrifices. I want to personally thank them for their exceptional service.

I thank you for your time and God Bless.

The President thanked Chief Justice Burdick for his remarks and Senator Lakey, Chairman, and Senator Werk escorted Chief Justice Burdick from the Chamber, and the Committee was discharged.

Senator McKenzie was recorded present at this order of business.

On request by Senator Davis, granted by unanimous consent, the Senate returned to the Sixth Order of Business.

Reports of Standing Committees

January 21, 2014

The JUDICIARY AND RULES Committee reports that [S 1214](#) and [S 1215](#) have been correctly printed.

LODGE, Chairman

[S 1214](#) and [S 1215](#) were referred to the Judiciary and Rules Committee.

January 20, 2014

The RESOURCES AND ENVIRONMENT Committee reports it has had under consideration the Gubernatorial appointments listed below and the Committee recommends that said appointments be confirmed by the Senate:

Brad Corkill to the Idaho Fish and Game Commission, term to expire June 30, 2017.

Mark Doerr to the Idaho Fish and Game Commission, term to expire June 30, 2016.

PEARCE, Chairman

The Gubernatorial appointments were referred to the Tenth Order of Business, Motions and Resolutions, and ordered held at the Secretary's desk for one legislative day.

January 21, 2014

The HEALTH AND WELFARE Committee reports out [S 1201](#) with the recommendation that it do pass.

HEIDER, Chairman

[S 1201](#) was filed for second reading.

On request by Senator Davis, granted by unanimous consent, the Senate advanced to the Eighth Order of Business.

Messages from the Governor

January 14, 2014

The Honorable Brad Little
President of the Senate
Idaho Legislature

Dear Mr. President:

Dear Mr. President,

I am hereby transmitting to the Idaho State Senate a list of all gubernatorial appointments that had not been previously communicated pursuant to title 67, section 803 of the Idaho Code.

Additional appointments made during this session will be submitted forthwith with the appropriate corresponding information for your consideration. Please do not hesitate to contact me if you have any questions.

As Always - Idaho, *Esto Perpetua*
/s/ C.L. "Butch" Otter
Governor

On request by Senator Davis, granted by unanimous consent, the Senate advanced to the Eleventh Order of Business.

Introduction, First Reading, and Reference of Bills, House Petitions, Resolutions, and Memorials

S 1216 **BY FINANCE COMMITTEE** **AN ACT**

APPROPRIATING ADDITIONAL MONEYS TO THE DEPARTMENT OF FISH AND GAME FOR FISCAL YEAR 2014; AND DECLARING AN EMERGENCY.

S 1217
BY FINANCE COMMITTEE
 AN ACT

APPROPRIATING ADDITIONAL MONEYS TO THE COMMISSION FOR PARDONS AND PAROLE FOR FISCAL YEAR 2014; AND DECLARING AN EMERGENCY.

S 1218
BY FINANCE COMMITTEE
 AN ACT

APPROPRIATING ADDITIONAL MONEYS TO THE OFFICE OF THE STATE APPELLATE PUBLIC DEFENDER FOR FISCAL YEAR 2014; AND DECLARING AN EMERGENCY.

S 1219
BY RESOURCES AND ENVIRONMENT COMMITTEE
 AN ACT

RELATING TO FISH AND GAME; AMENDING SECTION 36-111, IDAHO CODE, TO PROVIDE THAT CLASS 7 LICENSES AND TAGS SHALL BE EXEMPT FROM CERTAIN SET-ASIDE ACCOUNT PROVISIONS, TO PROVIDE THAT TWENTY-FIVE CENTS SHALL BE PAID INTO THE SET-ASIDE ACCOUNT FROM EACH DISABLED PERSONS COMBINATION LICENSE AND TO CLARIFY THAT CERTAIN REFERENCES TO ANTELOPE ARE TO PRONGHORN ANTELOPE.

S 1220
BY RESOURCES AND ENVIRONMENT COMMITTEE
 AN ACT

RELATING TO FISH AND GAME; AMENDING SECTION 36-1404, IDAHO CODE, TO REQUIRE REIMBURSEMENT TO THE STATE RELATING TO THE ILLEGAL KILLING, POSSESSION OR WASTE OF PROTECTED WILDLIFE CLASSIFIED BY THE FISH AND GAME COMMISSION, TO CLARIFY REIMBURSEMENT PROVISIONS RELATING TO WILD CHINOOK SALMON AND TO PROVIDE FOR REIMBURSEMENT FOR ANY OTHER PROTECTED WILDLIFE CLASSIFIED BY THE FISH AND GAME COMMISSION IN ADDITION TO THOSE SPECIFICALLY IDENTIFIED.

S 1221
BY HEALTH AND WELFARE COMMITTEE
 AN ACT

RELATING TO THE CHILD PROTECTIVE ACT; AMENDING SECTION 16-1602, IDAHO CODE, TO DEFINE TERMS AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 16-1617, IDAHO CODE, TO REVISE PROVISIONS RELATING TO INTERAGENCY MULTIDISCIPLINARY TEAMS AND TRAINING REQUIREMENTS FOR TEAM MEMBERS; AMENDING SECTION 16-1618, IDAHO CODE, TO PROVIDE THAT ALL INVESTIGATIVE OR RISK ASSESSMENT INTERVIEWS OF ALLEGED VICTIMS OF CHILD ABUSE CONDUCTED BY PERSONNEL OF CHILD ADVOCACY CENTERS WILL BE DOCUMENTED BY AUDIO OR VIDEO TAPING; AND AMENDING SECTION 16-2002, IDAHO CODE, TO PROVIDE A CORRECT CODE REFERENCE.

S 1222
BY HEALTH AND WELFARE COMMITTEE
 AN ACT

RELATING TO EMERGENCY MEDICAL SERVICES; AMENDING SECTION 56-1012, IDAHO CODE, TO REMOVE A DEFINITION AND TO ADD DEFINITIONS

FOR THE "PRACTICE OF EMERGENCY MEDICAL SERVICES" AND "PROVISION OF EMERGENCY MEDICAL SERVICES."

S 1223
BY HEALTH AND WELFARE COMMITTEE
 AN ACT

RELATING TO THE PERSONNEL SYSTEM; AMENDING CHAPTER 53, TITLE 67, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 67-5339, IDAHO CODE, TO AUTHORIZE A LOAN REPAYMENT PROGRAM FOR PHYSICIANS, PSYCHOLOGISTS AND MIDDLELEVEL PRACTITIONERS AT CERTAIN STATE HOSPITALS, TO PROVIDE LIMITATIONS ON THE PROGRAM, TO PROVIDE ELIGIBILITY CRITERIA FOR THE PROGRAM, TO PROVIDE FOR THE LENGTH OF THE PROGRAM AND TO PROVIDE FOR AMOUNTS TO BE REIMBURSED.

S 1224
BY HEALTH AND WELFARE COMMITTEE
 AN ACT

RELATING TO BEHAVIORAL HEALTH SERVICES; AMENDING THE HEADING FOR CHAPTER 31, TITLE 39, IDAHO CODE; AMENDING CHAPTER 31, TITLE 39, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 39-3121, IDAHO CODE, TO PROVIDE A DECLARATION OF POLICY; AMENDING CHAPTER 31, TITLE 39, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 39-3122, IDAHO CODE, TO PROVIDE DEFINITIONS; REPEALING SECTION 39-3123, IDAHO CODE, RELATING TO DECLARATION OF POLICY; AMENDING SECTION 39-3124, IDAHO CODE, TO REDESIGNATE THE SECTION, TO REVISE TERMINOLOGY, TO PROVIDE FOR STATE SUBSTANCE USE DISORDER AUTHORITY AND TO PROVIDE THAT APPROPRIATIONS TO EXECUTIVE AGENCIES OR THE JUDICIARY SHALL NOT BE PROHIBITED; AMENDING CHAPTER 31, TITLE 39, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 39-3124, IDAHO CODE, TO PROVIDE FOR THE ESTABLISHMENT OF AN IDAHO BEHAVIORAL HEALTH COOPERATIVE; AMENDING SECTION 39-3125, IDAHO CODE, TO REVISE PROVISIONS RELATING TO DUTIES AND APPOINTMENT OF THE STATE BEHAVIORAL HEALTH PLANNING COUNCIL, TO REVISE TERMINOLOGY AND TO PROVIDE A CORRECT CODE REFERENCE; AMENDING SECTION 39-3126, IDAHO CODE, TO REVISE TERMINOLOGY AND TO PROVIDE FOR BUDGETARY CONFINES; AMENDING CHAPTER 31, TITLE 39, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 39-3127, IDAHO CODE, TO PROVIDE FOR THE COORDINATION OF SERVICES BETWEEN REGIONS AND STATES; AMENDING CHAPTER 31, TITLE 39, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 39-3128, IDAHO CODE, TO AUTHORIZE THE STATE BEHAVIORAL HEALTH AUTHORITY TO CONTRACT FOR THE LEASE OF FACILITIES FOR BEHAVIORAL HEALTH CENTERS; REPEALING SECTION 39-3129, IDAHO CODE, RELATING TO PETITION FOR REGIONAL SERVICES; AMENDING CHAPTER 31, TITLE 39, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 39-3129, IDAHO CODE, TO AUTHORIZE THE APPOINTMENT OF A DIVISION ADMINISTRATOR FOR REGIONAL BEHAVIORAL HEALTH CENTERS AND TO PROVIDE FOR DUTIES OF THE ADMINISTRATOR; AMENDING SECTION 39-3127, IDAHO CODE, TO REDESIGNATE THE SECTION AND TO REVISE TERMINOLOGY; REPEALING SECTION 39-3131,

IDAHO CODE, RELATING TO TERMS, VACANCIES AND COMPENSATION; AMENDING SECTION 39-3128, IDAHO CODE, TO REDESIGNATE THE SECTION, TO REVISE TERMINOLOGY AND TO REVISE BEHAVIORAL HEALTH SERVICES TO BE OFFERED; AMENDING CHAPTER 31, TITLE 39, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 39-3132, IDAHO CODE, TO PROVIDE FOR THE ESTABLISHMENT OF REGIONAL BEHAVIORAL HEALTH BOARDS; REPEALING SECTION 39-3133, IDAHO CODE, RELATING TO DUTIES OF THE DIRECTOR OF THE DEPARTMENT OF HEALTH AND WELFARE; AMENDING CHAPTER 31, TITLE 39, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 39-3133, IDAHO CODE, TO PROVIDE FOR THE ESTABLISHMENT OF AN EXECUTIVE COMMITTEE OF THE REGIONAL BEHAVIORAL HEALTH BOARDS AND TO PROVIDE FOR POWERS AND DUTIES OF THE COMMITTEE; REPEALING SECTION 39-3134, IDAHO CODE, RELATING TO COORDINATION OF SERVICES BETWEEN REGIONS AND STATE; AMENDING SECTION 39-3130, IDAHO CODE, TO REDESIGNATE THE SECTION, TO REVISE TERMINOLOGY AND TO PROVIDE FOR MEMBERS, TERMS AND APPOINTMENTS FOR THE REGIONAL BEHAVIORAL HEALTH BOARDS; REPEALING SECTION 39-3134A, IDAHO CODE, RELATING TO COOPERATIVE SERVICE PLAN COMPONENT; REPEALING SECTION 39-3135, IDAHO CODE, RELATING TO FACILITIES FOR MENTAL HEALTH SERVICES; AMENDING SECTION 39-3132, IDAHO CODE, TO REDESIGNATE THE SECTION, TO REVISE PROVISIONS RELATING TO POWERS AND DUTIES OF THE REGIONAL BEHAVIORAL HEALTH BOARDS, TO REVISE TERMINOLOGY AND TO PROVIDE A CORRECT CODE REFERENCE; AMENDING SECTION 39-3136, IDAHO CODE, TO REVISE TERMINOLOGY AND TO MAKE A TECHNICAL CORRECTION; AMENDING SECTION 39-3137, IDAHO CODE, TO REVISE TERMINOLOGY; AMENDING SECTION 39-3138, IDAHO CODE, TO REVISE TERMINOLOGY; AMENDING SECTION 39-3139, IDAHO CODE, TO REVISE TERMINOLOGY; AND AMENDING CHAPTER 31, TITLE 39, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 39-3140, IDAHO CODE, TO PROVIDE FOR RULEMAKING AUTHORITY.

S 1225

BY HEALTH AND WELFARE COMMITTEE

AN ACT

RELATING TO DENTAL PRACTICE; AMENDING SECTION 54-923, IDAHO CODE, TO REQUIRE A LICENSEE TO NOTIFY THE BOARD OF ANY FELONY OR MISDEMEANOR CONVICTION.

S 1226

BY HEALTH AND WELFARE COMMITTEE

AN ACT

RELATING TO DENTISTS; AMENDING SECTION 54-902, IDAHO CODE, TO REVISE THE DEFINITION OF THE PRACTICE OF DENTAL HYGIENE; AMENDING SECTION 54-911, IDAHO CODE, TO REVISE THE NUMBER OF BOARD MEMBERS NECESSARY FOR A QUORUM AND TO MAKE A TECHNICAL CORRECTION; AMENDING SECTION 54-912, IDAHO CODE, TO REVISE A PROVISION RELATING TO THE APPOINTMENT OF AN EXECUTIVE DIRECTOR AND TO MAKE A TECHNICAL CORRECTION; AMENDING SECTION 54-915, IDAHO CODE, TO REVISE A PROVISION RELATING TO THE DEGREE REQUIRED FOR LICENSURE AS A DENTIST; AMENDING SECTION

54-916A, IDAHO CODE, TO PROVIDE FOR LICENSURE TO PRACTICE DENTAL HYGIENE BY CREDENTIALS; AMENDING SECTION 54-916B, IDAHO CODE, TO PROVIDE FOR LICENSURE TO PRACTICE DENTISTRY BY CREDENTIALS; AMENDING SECTION 54-918, IDAHO CODE, TO PROVIDE THAT AN EXAMINATION MAY BE CONDUCTED BY AN AGENT OF THE BOARD; AMENDING SECTION 54-920, IDAHO CODE, TO REVISE A PROVISION RELATING TO RENEWAL OF A LICENSE AND TO REVISE A PROVISION RELATING TO THE REQUIREMENTS FOR CONVERTING A LICENSE FROM INACTIVE TO ACTIVE; AND AMENDING SECTION 54-924, IDAHO CODE, TO REMOVE A PROVISION RELATING TO GROUNDS FOR DISCIPLINARY ACTION AND TO MAKE TECHNICAL CORRECTIONS.

[S 1216](#), [S 1217](#), [S 1218](#), [S 1219](#), [S 1220](#), [S 1221](#), [S 1222](#), [S 1223](#), [S 1224](#), [S 1225](#), and [S 1226](#) were introduced, read the first time at length, and referred to the Judiciary and Rules Committee for printing.

The Senate advanced to the Twelfth Order of Business.

Second Reading of Bills

[S 1210](#), by Finance Committee, was read the second time at length and filed for third reading.

On request by Senator Davis, granted by unanimous consent, the Senate advanced to the Fifteenth Order of Business.

Miscellaneous Business

On motion by Senator Davis, seconded by Senator Stennett, by voice vote, the Senate adjourned at 11:40 a.m. until the hour of 11:30 a.m., Wednesday, January 22, 2014.

BRAD LITTLE, President

Attest: JENNIFER NOVAK, Secretary

SENATE JOURNAL

OF THE

IDAHO LEGISLATURE

SECOND REGULAR SESSION
SIXTY-SECOND LEGISLATURE

SEVENTEENTH LEGISLATIVE DAY
WEDNESDAY, JANUARY 22, 2014

Senate Chamber

President Little called the Senate to order at 11:30 a.m.

Roll call showed all members present except Senators Buckner-Webb and Patrick, absent and formally excused by the Chair; and Senators Cameron, and Werk, absent and excused.

Prayer was offered by Chaplain Keith Buhler.

The Pledge of Allegiance was led by Hunter Markus, Page.

The Senate advanced to the Third Order of Business.

Reading and Correction of the Journal

The JUDICIARY AND RULES Committee reports that the Senate Journal of the proceedings of January 21, 2014, was read and approved as corrected.

LODGE, Chairman

There being no objection, the report was adopted and ordered filed in the office of the Secretary of the Senate.

On request by Senator Davis, granted by unanimous consent, the Senate advanced to the Sixth Order of Business.

Reports of Standing Committees

Senator Cameron was recorded present at this order of business.

January 22, 2014

The JUDICIARY AND RULES Committee reports that [S 1216](#), [S 1217](#), [S 1218](#), [S 1219](#), [S 1220](#), [S 1221](#), [S 1222](#), [S 1223](#), [S 1224](#), [S 1225](#), and [S 1226](#) have been correctly printed.

LODGE, Chairman

[S 1216](#), [S 1217](#), and [S 1218](#) were referred to the Finance Committee.

[S 1219](#) and [S 1220](#) were referred to the Resources and Environment Committee.

[S 1221](#) was referred to the Judiciary and Rules Committee.

[S 1222](#), [S 1223](#), [S 1224](#), [S 1225](#), and [S 1226](#) were referred to the Health and Welfare Committee.

January 21, 2014

The LOCAL GOVERNMENT AND TAXATION Committee reports out [S 1213](#) with the recommendation that it do pass.

SIDDOWAY, Chairman

[S 1213](#) was filed for second reading.

On request by Senator Davis, granted by unanimous consent, the Senate advanced to the Eighth Order of Business.

Messages from the Governor

January 16, 2014

The Honorable Brad Little
President of the Senate
Idaho Legislature

Dear Mr. President:

I have the honor to inform you that Ken Roberts of Donnelly, Idaho, was reappointed as a member of the State Tax Commission to serve a term commencing April 5, 2013, and expiring April 1, 2019.

This reappointment was made subject to confirmation by the Senate. Notice of reappointment is hereby given.

As Always - Idaho, *Esto Perpetua*
/s/ C.L. "Butch" Otter
Governor

The correspondence was ordered filed in the office of the Secretary of the Senate.

The Gubernatorial reappointment was referred to the Local Government and Taxation Committee.

January 21, 2014

The Honorable Brad Little
President of the Senate
Idaho Legislature

Dear Mr. President:

I have the honor to inform you that C. Wayne Hunsucker of Lucile, Idaho, was reappointed as a member of the Outfitters and Guides Licensing Board to serve a term commencing April 20, 2013, and expiring April 20, 2016.

This reappointment was made subject to confirmation by the Senate. Notice of reappointment is hereby given.

As Always - Idaho, *Esto Perpetua*
/s/ C.L. "Butch" Otter
Governor

The correspondence was ordered filed in the office of the Secretary of the Senate.

The Gubernatorial reappointment was referred to the Resources and Environment Committee.

January 21, 2014

The Honorable Brad Little
President of the Senate
Idaho Legislature

Dear Mr. President:

I have the honor to inform you that Tom Long of Eagle, Idaho, was reappointed as a member of the Outfitters and Guides Licensing Board to serve a term commencing April 20, 2013, and expiring April 20, 2016.

This reappointment was made subject to confirmation by the Senate. Notice of reappointment is hereby given.

As Always - Idaho, *Esto Perpetua*
/s/ C.L. "Butch" Otter
Governor

The correspondence was ordered filed in the office of the Secretary of the Senate.

The Gubernatorial reappointment was referred to the Resources and Environment Committee.

Senator Werk was recorded present at this order of business.

On request by Senator Davis, granted by unanimous consent, the Senate advanced to the Tenth Order of Business.

Motions and Resolutions

The President announced that the Resources and Environment Committee report relative to the Gubernatorial appointment of Brad Corkill was before the Senate for final consideration, the question being, "Shall the report be adopted?"

On motion by Senator Vick, seconded by Senator Keough, the Gubernatorial appointment of Brad Corkill as a member of the Idaho Fish and Game Commission was confirmed by voice vote.

The President declared the report adopted and directed the Secretary of the Senate to prepare a letter of the Gubernatorial appointment confirmation for his signature, attested to by the Secretary, to be transmitted to the Governor informing him of the action of the Senate.

The President announced that the Resources and Environment Committee report relative to the Gubernatorial appointment of Mark Doerr was before the Senate for final consideration, the question being, "Shall the report be adopted?"

On motion by Senator Heider, seconded by Senator Brackett, the Gubernatorial appointment of Mark Doerr as a member of the Idaho Fish and Game Commission was confirmed by voice vote.

The President declared the report adopted and directed the Secretary of the Senate to prepare a letter of the Gubernatorial appointment confirmation for his signature, attested to by the Secretary, to be transmitted to the Governor informing him of the action of the Senate.

The Senate advanced to the Eleventh Order of Business.

Introduction, First Reading, and Reference of Bills, House Petitions, Resolutions, and Memorials

S 1227

BY TRANSPORTATION COMMITTEE

AN ACT

RELATING TO HIGHWAYS; AMENDING CHAPTER 5, TITLE 40, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 40-513E, IDAHO CODE, TO DESIGNATE THAT PORTION OF INTERSTATE HIGHWAY I-84 LOCATED IN IDAHO AS THE VIETNAM VETERANS MEMORIAL HIGHWAY.

S 1228

BY EDUCATION COMMITTEE

AN ACT

RELATING TO PUBLIC LIBRARIES; AMENDING SECTION 33-2606, IDAHO CODE, TO REVISE A CODE REFERENCE.

S 1229

BY EDUCATION COMMITTEE

AN ACT

RELATING TO EDUCATION; AMENDING SECTION 33-5102, IDAHO CODE, TO PROVIDE AND REVISE DEFINITIONS; AMENDING SECTION 33-5103, IDAHO CODE, TO PROVIDE THAT A SECONDARY PUPIL ENROLLED IN A PUBLIC SCHOOL MAY APPLY TO AN INSTITUTION TO ENROLL IN CERTAIN COURSES; AMENDING SECTION 33-5104, IDAHO CODE, TO REVISE PROVISIONS RELATING TO COUNSELING SERVICES; AMENDING SECTION 33-5105, IDAHO CODE, TO REVISE PROVISIONS RELATING TO INFORMATION PROVIDED TO SECONDARY PUPILS; AMENDING SECTION 33-5106, IDAHO CODE, TO REVISE PROVISIONS RELATING TO PUPIL PARTICIPATION; AMENDING SECTION 33-5107, IDAHO CODE, TO REVISE PROVISIONS RELATING TO A POSTSECONDARY INSTITUTION'S ENROLLMENT PRIORITY; AND REPEALING SECTION 33-5108, IDAHO CODE, RELATING TO COURSES ACCORDING TO AGREEMENTS.

S 1230

BY EDUCATION COMMITTEE

AN ACT

RELATING TO THE STATE BOARD OF EDUCATION; AMENDING SECTION 33-102, IDAHO CODE, TO REVISE PROVISIONS RELATING TO APPOINTMENTS TO THE BOARD AND TO MAKE TECHNICAL CORRECTIONS.

S 1231

BY EDUCATION COMMITTEE

AN ACT

RELATING TO EDUCATION; AMENDING SECTION 33-1004, IDAHO CODE, TO REVISE A MULTIPLIER RELATING TO CLASSIFIED STAFF ALLOWANCE AND TO MAKE TECHNICAL CORRECTIONS.

S 1232

BY EDUCATION COMMITTEE

AN ACT

RELATING TO SCHOOL BUS DRIVERS; AMENDING SECTION 33-1509, IDAHO CODE, TO PROVIDE THAT A SCHOOL BUS DRIVER SHALL BE IMMUNE FROM CIVIL OR CRIMINAL LIABILITY FOR REASONABLE ACTS TAKEN IN COMING TO THE AID OF ANYONE WHOM THE SCHOOL BUS DRIVER REASONABLY BELIEVES TO BE IN IMMINENT DANGER OF HARM OR INJURY AND TO MAKE TECHNICAL CORRECTIONS.

S 1233

BY EDUCATION COMMITTEE

AN ACT

RELATING TO EDUCATION; AMENDING SECTION 33-1623, IDAHO CODE, TO REVISE PROVISIONS RELATING TO MASTERY ADVANCEMENT SCHOLARSHIP AND TO REVISE PROVISIONS RELATING TO AMOUNTS RECEIVED BY A DISTRICT OR PUBLIC CHARTER SCHOOL; AMENDING SECTION 33-1626, IDAHO CODE, TO REVISE PROVISIONS RELATING TO

CERTAIN EXAMINATIONS, TO ESTABLISH PROVISIONS RELATING TO STUDENTS QUALIFYING FOR CERTAIN MONETARY CREDIT, TO ESTABLISH PROVISIONS GOVERNING CERTAIN PAYMENTS, TO PROVIDE FOR RULES AND TO PROVIDE FOR A REPORT; AMENDING SECTION 33-1628, IDAHO CODE, TO REMOVE LANGUAGE RELATING TO FOURTEEN CREDITS, TO REVISE PROVISIONS RELATING TO PAYMENT FOR CERTAIN ONLINE COURSES, TO REMOVE LANGUAGE RELATING TO CERTAIN INELIGIBLE COURSES AND TO DEFINE TERMS; AND DECLARING AN EMERGENCY.

S 1234
BY LOCAL GOVERNMENT AND TAXATION
COMMITTEE

AN ACT

RELATING TO AIRPORT ZONING; AMENDING SECTION 21-503, IDAHO CODE, TO PROVIDE THAT POLITICAL SUBDIVISIONS HAVE THE POWER TO ADOPT REGULATIONS, TO REVISE TERMINOLOGY, TO REVISE A CODE REFERENCE, TO REMOVE PROVISIONS RELATING TO THE METHOD OF ADOPTING ZONING REGULATIONS, TO REMOVE A PROVISION RELATED TO ZONING AVIATION HAZARD AREAS ADJACENT TO AN AIRPORT AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 67-6502, IDAHO CODE, TO REVISE TERMINOLOGY AND TO PROVIDE THAT PUBLIC AIRPORTS ARE ESSENTIAL COMMUNITY FACILITIES; AMENDING SECTION 67-6508, IDAHO CODE, TO PROVIDE FOR PUBLIC AIRPORT FACILITIES IN THE PLANNING DUTIES OF A PLANNING AND ZONING COMMISSION; AMENDING SECTION 67-6509, IDAHO CODE, TO PROVIDE THAT NOTICE OF INTENT TO AMEND A ZONING PLAN SHALL BE SENT TO THE MANAGER OF A LOCAL AIRPORT; AMENDING SECTION 67-6512, IDAHO CODE, TO PROVIDE THAT A STUDY OF AVIATION HAZARDS MAY BE REQUIRED FOR A SPECIAL USE PERMIT; AMENDING SECTION 67-6515A, IDAHO CODE, TO PROVIDE FOR NOTICE AND HEARING IN THE TRANSFER OF DEVELOPMENT RIGHTS AND TO PROVIDE THAT AVIATION HAZARDS SHALL BE AVOIDED IN THE TRANSFER OF DEVELOPMENT RIGHTS; AND AMENDING SECTION 67-6516, IDAHO CODE, TO PROVIDE FOR NOTICE AND HEARING IN THE CONSIDERATION OF VARIANCE PERMITS.

S 1235
BY LOCAL GOVERNMENT AND TAXATION
COMMITTEE

AN ACT

RELATING TO PLATS AND VACATIONS; AMENDING SECTION 50-1306A, IDAHO CODE, TO REVISE PROCEDURES RELATING TO THE VACATION OF PLATS BY CITIES AND COUNTIES, TO PROVIDE FOR CERTAIN NOTICE AND TO REMOVE A CODE REFERENCE; AND AMENDING SECTION 50-1321, IDAHO CODE, TO REVISE CERTAIN NOTICE PROVISIONS AND TO REMOVE A REQUIREMENT FOR CITY CONSENT.

S 1236
BY LOCAL GOVERNMENT AND TAXATION
COMMITTEE

AN ACT

RELATING TO PROPERTY TAX NOTICES; AMENDING SECTION 63-902, IDAHO CODE, TO ALLOW PROPERTY

TAX NOTICES TO BE FURNISHED TO TAXPAYERS ELECTRONICALLY UPON CERTAIN CIRCUMSTANCES OCCURRING.

S 1237
BY LOCAL GOVERNMENT AND TAXATION
COMMITTEE

AN ACT

RELATING TO TAX DEEDS; AMENDING SECTION 63-1007, IDAHO CODE, TO INCREASE THE AMOUNT OF TIME FOR THE RIGHT OF REDEMPTION FOR A TAX DEED AND TO MAKE A TECHNICAL CORRECTION.

S 1238
BY LOCAL GOVERNMENT AND TAXATION
COMMITTEE

AN ACT

RELATING TO COUNTIES; REPEALING SECTION 31-2307, IDAHO CODE, RELATING TO THE ANNUAL STATEMENT OF THE FINANCIAL CONDITION OF A COUNTY.

[S 1227](#), [S 1228](#), [S 1229](#), [S 1230](#), [S 1231](#), [S 1232](#), [S 1233](#), [S 1234](#), [S 1235](#), [S 1236](#), [S 1237](#), and [S 1238](#) were introduced, read the first time at length, and referred to the Judiciary and Rules Committee for printing.

The Senate advanced to the Twelfth Order of Business.

Second Reading of Bills

[S 1201](#), by Health and Welfare Committee, was read the second time at length and filed for third reading.

The Senate advanced to the Thirteenth Order of Business.

Third Reading of Bills

[S 1210](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Keough arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Bair, Bayer, Bock, Brackett, Cameron, Davis, Fulcher, Goedde, Guthrie, Hagedorn, Heider, Hill, Johnson, Keough, Lacey, Lakey, Lodge, Martin, McKenzie, Mortimer, Nonini, Nuxoll, Pearce, Rice, Schmidt, Siddoway, Stennett, Thayne, Tippets, Vick, Ward-Engelking, Werk, Winder. Total - 33.

NAYS—None.

Absent and excused—Buckner-Webb, Patrick. Total - 2.

Total - 35.

Whereupon the President declared [S 1210](#) passed, title was approved, and the bill ordered transmitted to the House.

On request by Senator Davis, granted by unanimous consent, the Senate advanced to the Fifteenth Order of Business.

Miscellaneous Business

On motion by Senator Davis, seconded by Senator Stennett, by voice vote, the Senate adjourned at 12 noon until the hour of 11:30 a.m., Thursday, January 23, 2014.

BRAD LITTLE, President

Attest: JENNIFER NOVAK, Secretary

SENATE JOURNAL

OF THE

IDAHO LEGISLATURE

SECOND REGULAR SESSION
SIXTY-SECOND LEGISLATURE

EIGHTEENTH LEGISLATIVE DAY
THURSDAY, JANUARY 23, 2014

Senate Chamber

President Pro Tempore Hill called the Senate to order at 11:30 a.m.

Roll call showed all members present except Senator Lakey, absent and formally excused by the Chair; and Senators Bayer, and Fulcher, absent and excused.

Prayer was offered by Chaplain Keith Buhler.

The Pledge of Allegiance was led by Allison McCarthy, Page.

The Senate advanced to the Third Order of Business.

Reading and Correction of the Journal

The JUDICIARY AND RULES Committee reports that the Senate Journal of the proceedings of January 22, 2014, was read and approved as corrected.

LODGE, Chairman

There being no objection, the report was adopted and ordered filed in the office of the Secretary of the Senate.

On request by Senator Davis, granted by unanimous consent, the Senate advanced to the Fifth Order of Business.

Petitions, Resolutions, and Memorials

SJM 103

BY RESOURCES AND ENVIRONMENT COMMITTEE A JOINT MEMORIAL

TO THE SENATE AND HOUSE OF REPRESENTATIVES OF THE UNITED STATES IN CONGRESS ASSEMBLED, AND TO THE CONGRESSIONAL DELEGATION REPRESENTING THE STATE OF IDAHO IN THE CONGRESS OF THE UNITED STATES.

We, your Memorialists, the Senate and the House of Representatives of the State of Idaho assembled in the Second Regular Session of the Sixty-second Idaho Legislature, do hereby respectfully represent that:

WHEREAS, the economic expansion that is stimulated by the new and increased demand for our seafood products vastly influences our United States economic base; and

WHEREAS, the United States seafood industry is fruitfully productive and a key employer in the marketplace; and

WHEREAS, the continuing market effort is the dynamic behind industry improvement, investment, prosperity and job creation; and

WHEREAS, Idaho is key to the salmon industry in the United States as we are the spawning beds for millions of salmon each year that migrate to the Pacific Ocean; and

WHEREAS, Idaho's rivers constitute the pathway that returning salmon use to complete their life cycles from smolt to spawning salmon; and

WHEREAS, the Idaho Department of Fish and Game and Idaho Power have participated in ensuring a healthy pathway for fish to travel to and return from the Pacific Ocean.

NOW, THEREFORE, BE IT RESOLVED by the members of the Second Regular Session of the Sixty-second Idaho Legislature, the Senate and the House of Representatives concurring therein, that we respectfully recommend that the Idaho delegation in Congress work together with representatives of other seafood and fish-producing states to acquire sufficient funding for effectual and maintained domestic marketing of American seafood.

BE IT FURTHER RESOLVED that the Secretary of the Senate be, and she is hereby authorized and directed to forward a copy of this Memorial to the President of the Senate and the Speaker of the House of Representatives of Congress, and the congressional delegation representing the State of Idaho in the Congress of the United States.

[SJM 103](#) was introduced, read at length, and referred to the Judiciary and Rules Committee for printing.

Senator Bayer was recorded present at this order of business.

The Senate advanced to the Sixth Order of Business.

Reports of Standing Committees

January 23, 2014

The JUDICIARY AND RULES Committee reports that [S 1227](#), [S 1228](#), [S 1229](#), [S 1230](#), [S 1231](#), [S 1232](#), [S 1233](#), [S 1234](#), [S 1235](#), [S 1236](#), [S 1237](#), and [S 1238](#) have been correctly printed.

LODGE, Chairman

[S 1227](#) was referred to the Transportation Committee.

[S 1228](#), [S 1229](#), [S 1230](#), [S 1231](#), [S 1232](#), and [S 1233](#) were referred to the Education Committee.

[S 1234](#), [S 1235](#), [S 1236](#), [S 1237](#), and [S 1238](#) were referred to the Local Government and Taxation Committee.

January 22, 2014

The FINANCE Committee reports out [S 1216](#), [S 1217](#), and [S 1218](#) with the recommendation that they do pass.

CAMERON, Chairman

[S 1216](#), [S 1217](#), and [S 1218](#) were filed for second reading.

Senator Fulcher was recorded present at this order of business.

On request by Senator Davis, granted by unanimous consent, the Senate advanced to the Eighth Order of Business.

Messages from the Governor

January 22, 2014

The Honorable Brad Little
President of the Senate
Idaho Legislature

Dear Mr. President:

I have the honor to inform you that Chris Charles Beck of Hayden Lake, Idaho, was appointed as a member of the Oil and Gas Commission to serve a term commencing July 10, 2013, and expiring July 1, 2015.

This appointment was made subject to confirmation by the Senate. Notice of appointment is hereby given.

As Always - Idaho, *Esto Perpetua*
/s/ C.L. "Butch" Otter
Governor

The correspondence was ordered filed in the office of the Secretary of the Senate.

The Gubernatorial appointment was referred to the Resources and Environment Committee.

January 22, 2014

The Honorable Brad Little
President of the Senate
Idaho Legislature

Dear Mr. President:

I have the honor to inform you that Sidney "Sid" R. Cellan of Soda Springs, Idaho, was appointed as a member of the Oil and Gas Commission to serve a term commencing July 10, 2013, and expiring July 1, 2014.

This appointment was made subject to confirmation by the Senate. Notice of appointment is hereby given.

As Always - Idaho, *Esto Perpetua*
/s/ C.L. "Butch" Otter
Governor

The correspondence was ordered filed in the office of the Secretary of the Senate.

The Gubernatorial appointment was referred to the Resources and Environment Committee.

January 22, 2014

The Honorable Brad Little
President of the Senate
Idaho Legislature

Dear Mr. President:

I have the honor to inform you that Margaret "Marg" Gail Chipman of Weiser, Idaho, was appointed as a member of the Oil and Gas Commission to serve a term commencing July 10, 2013, and expiring July 1, 2016.

This appointment was made subject to confirmation by the Senate. Notice of appointment is hereby given.

As Always - Idaho, *Esto Perpetua*
/s/ C.L. "Butch" Otter
Governor

The correspondence was ordered filed in the office of the Secretary of the Senate.

The Gubernatorial appointment was referred to the Resources and Environment Committee.

January 22, 2014

The Honorable Brad Little
President of the Senate
Idaho Legislature

Dear Mr. President:

I have the honor to inform you that James S. Classen of Boise, Idaho, was appointed as a member of the Oil and Gas Commission to serve a term commencing July 10, 2013, and expiring July 1, 2017.

This appointment was made subject to confirmation by the Senate. Notice of appointment is hereby given.

As Always - Idaho, *Esto Perpetua*
/s/ C.L. "Butch" Otter
Governor

The correspondence was ordered filed in the office of the Secretary of the Senate.

The Gubernatorial appointment was referred to the Resources and Environment Committee.

January 22, 2014

The Honorable Brad Little
President of the Senate
Idaho Legislature

Dear Mr. President:

I have the honor to inform you that S. Kennard Smith of Boise, Idaho, was appointed as a member of the Oil and Gas Commission to serve a term commencing July 10, 2013, and expiring July 1, 2017.

This appointment was made subject to confirmation by the Senate. Notice of appointment is hereby given.

As Always - Idaho, *Esto Perpetua*
/s/ C.L. "Butch" Otter
Governor

The correspondence was ordered filed in the office of the Secretary of the Senate.

The Gubernatorial appointment was referred to the Resources and Environment Committee.

January 22, 2014

The Honorable Brad Little
President of the Senate
Idaho Legislature

Dear Mr. President:

I have the honor to inform you that Charles H. Correll of Jerome, Idaho, was reappointed as a member of the Park and Recreation Board to serve a term commencing June 30, 2013, and expiring June 30, 2019.

This reappointment was made subject to confirmation by the Senate. Notice of reappointment is hereby given.

As Always - Idaho, *Esto Perpetua*
/s/ C.L. "Butch" Otter
Governor

The correspondence was ordered filed in the office of the Secretary of the Senate.

The Gubernatorial reappointment was referred to the Resources and Environment Committee.

On request by Senator Davis, granted by unanimous consent, the Senate advanced to the Eleventh Order of Business.

**Introduction, First Reading, and Reference of Bills,
House Petitions, Resolutions, and Memorials**

S 1239

**BY LOCAL GOVERNMENT AND TAXATION
COMMITTEE**

AN ACT

RELATING TO DUTIES OF PUBLIC ADMINISTRATORS; AMENDING SECTION 14-105, IDAHO CODE, TO REVISE DUTIES OF THE PUBLIC ADMINISTRATOR REGARDING THE ASSETS OF ESTATES TAKEN INTO HIS POSSESSION.

S 1240

BY JUDICIARY AND RULES COMMITTEE

AN ACT

RELATING TO THE IDAHO DNA DATABASE ACT OF 1996; AMENDING SECTION 19-5506, IDAHO CODE, TO PROVIDE THAT ABSENT A WARRANT AUTHORIZING DNA COLLECTION BASED UPON PROBABLE CAUSE, NO PERSON SHALL BE REQUIRED TO PROVIDE A DNA SAMPLE UNLESS THE PERSON HAS BEEN CONVICTED OF, OR PLEADS GUILTY TO, ANY FELONY CRIME OR THE ATTEMPT TO COMMIT ANY FELONY CRIME.

S 1241

**BY LOCAL GOVERNMENT AND TAXATION
COMMITTEE**

AN ACT

RELATING TO TRESPASS; AMENDING SECTION 18-7008, IDAHO CODE, TO REVISE TRESPASS POSTING PROVISIONS AND TO MAKE A TECHNICAL CORRECTION; AMENDING SECTION 18-7011, IDAHO CODE, TO REVISE TRESPASS POSTING PROVISIONS; AND AMENDING SECTION 36-1603, IDAHO CODE, TO REVISE TRESPASS POSTING PROVISIONS.

[S 1239](#), [S 1240](#), and [S 1241](#) were introduced, read the first time at length, and referred to the Judiciary and Rules Committee for printing.

The Senate advanced to the Twelfth Order of Business.

Second Reading of Bills

[S 1213](#), by Local Government and Taxation Committee, was read the second time at length and filed for third reading.

Senator Lakey was recorded present at this order of business.

The Senate advanced to the Thirteenth Order of Business.

Third Reading of Bills

[S 1201](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Heider arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Bair, Bayer, Bock, Brackett, Buckner-Webb, Cameron, Davis, Fulcher, Goedde, Guthrie, Hagedorn, Heider, Hill, Johnson, Keough, Lacey, Lakey, Lodge, Martin, McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Pearce, Rice, Schmidt, Siddoway, Stennett, Thayn, Tippets, Vick, Ward-Engelking, Werk, Winder. Total - 35.

Whereupon the President Pro Tempore declared [S 1201](#) passed, title was approved, and the bill ordered transmitted to the House.

On request by Senator Davis, granted by unanimous consent, the Senate advanced to the Fifteenth Order of Business.

Miscellaneous Business

On motion by Senator Davis, seconded by Senator Stennett, by voice vote, the Senate adjourned at 11:55 a.m. until the hour of 11:30 a.m., Friday, January 24, 2014.

BRENT HILL, President Pro Tempore

Attest: JENNIFER NOVAK, Secretary

SENATE JOURNAL

OF THE

IDAHO LEGISLATURE

SECOND REGULAR SESSION
SIXTY-SECOND LEGISLATURE

NINETEENTH LEGISLATIVE DAY
FRIDAY, JANUARY 24, 2014

Senate Chamber

President Little called the Senate to order at 11:30 a.m.

Roll call showed all members present except Senators Guthrie and Stennett, absent and formally excused by the Chair; and Senators Brackett, McKenzie, and Pearce, absent and excused.

Prayer was offered by Chaplain Keith Buhler.

The Pledge of Allegiance was led by Kaitlyn Parks, Page.

The Senate advanced to the Third Order of Business.

Reading and Correction of the Journal

The JUDICIARY AND RULES Committee reports that the Senate Journal of the proceedings of January 23, 2014, was read and approved as corrected.

LODGE, Chairman

There being no objection, the report was adopted and ordered filed in the office of the Secretary of the Senate.

On request by Senator Davis, granted by unanimous consent, the Senate advanced to the Sixth Order of Business.

Reports of Standing Committees

January 24, 2014

The JUDICIARY AND RULES Committee reports that [SJM 103](#), [S 1239](#), [S 1240](#), and [S 1241](#) have been correctly printed.

LODGE, Chairman

[SJM 103](#) was referred to the Tenth Order of Business, Motions and Resolutions, and ordered held at the Secretary's desk for one legislative day.

[S 1239](#) and [S 1241](#) were referred to the Local Government and Taxation Committee.

[S 1240](#) was referred to the Judiciary and Rules Committee.

January 23, 2014

The TRANSPORTATION Committee reports out [S 1208](#) and [S 1209](#) with the recommendation that they do pass.

BRACKETT, Chairman

[S 1208](#) and [S 1209](#) were filed for second reading.

On request by Senator Davis, granted by unanimous consent, the Senate advanced to the Eighth Order of Business.

Messages from the Governor

January 23, 2014

The Honorable Brad Little
President of the Senate
Idaho Legislature

Dear Mr. President:

I have the honor to inform you that Kenneth Edmunds of Twin Falls, Idaho, was appointed Director of the Department of Labor to serve a term commencing November 25, 2013, and continuing at the pleasure of the Governor.

This appointment was made subject to confirmation by the Senate. Notice of appointment is hereby given.

As Always - Idaho, *Esto Perpetua*
/s/ C.L. "Butch" Otter
Governor

The correspondence was ordered filed in the office of the Secretary of the Senate.

The Gubernatorial appointment was referred to the Commerce and Human Resources Committee.

The Senate advanced to the Ninth Order of Business.

Messages from the House

January 23, 2014

Dear Mr. President:

I transmit herewith [H 369](#), [H 370](#), [H 374](#), and [H 375](#), which have passed the House.

ALEXANDER, Chief Clerk

[H 369](#), [H 370](#), [H 374](#), and [H 375](#) were filed for first reading.

On request by Senator Davis, granted by unanimous consent, the Senate advanced to the Eleventh Order of Business.

Introduction, First Reading, and Reference of Bills, House Petitions, Resolutions, and Memorials

S 1242 BY COMMERCE AND HUMAN RESOURCES COMMITTEE

AN ACT
RELATING TO HEALTH REIMBURSEMENT
ARRANGEMENTS; AMENDING CHAPTER 57, TITLE
67, IDAHO CODE, BY THE ADDITION OF A NEW
SECTION 67-5761C, IDAHO CODE, TO PROVIDE HEALTH
REIMBURSEMENT ARRANGEMENTS FOR STATE
EMPLOYEES, TO DEFINE TERMS AND TO PROVIDE FOR
RULEMAKING AUTHORITY.

S 1243 BY COMMERCE AND HUMAN RESOURCES COMMITTEE

AN ACT
RELATING TO HEALTH CARE; AMENDING CHAPTER 90,
TITLE 39, IDAHO CODE, BY THE ADDITION OF A NEW
SECTION 39-9005, IDAHO CODE, TO DEFINE TERMS, TO
PROVIDE FOR THE REQUIREMENTS OF A MEDICAL

RETAINER AGREEMENT AND TO PROVIDE THAT MEDICAL RETAINER AGREEMENTS SHALL NOT BE REGULATED AS HEALTH INSURANCE; AND AMENDING CHAPTER 42, TITLE 41, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 41-4208, IDAHO CODE, TO PROVIDE THAT MEDICAL RETAINER AGREEMENTS SHALL NOT BE SUBJECT TO REGULATION AS HEALTH INSURANCE.

S 1244
BY COMMERCE AND HUMAN RESOURCES
COMMITTEE
AN ACT

RELATING TO THE STATE INSURANCE FUND; AMENDING SECTION 72-904, IDAHO CODE, TO REVISE PROVISIONS RELATING TO THE STATE INSURANCE FUND'S POWER TO SUE AND BE SUED; REPEALING SECTION 41-1618, IDAHO CODE, RELATING TO APPLICABILITY OF CHAPTER AS TO CERTAIN POWERS OF STATE INSURANCE MANAGER, AND TO CERTAIN PUBLIC EMPLOYMENT; REPEALING SECTION 72-903, IDAHO CODE, RELATING TO FURTHER STATEMENT OF POWERS; REPEALING SECTION 72-905, IDAHO CODE, RELATING TO CONTRACTS; REPEALING SECTION 72-909, IDAHO CODE, RELATING TO DELEGATION OF POWERS; REPEALING SECTION 72-913, IDAHO CODE, RELATING TO THE CLASSIFICATION OF RISKS AND ADJUSTMENT OF PREMIUMS; REPEALING SECTION 72-914, IDAHO CODE, RELATING TO ACCOUNTS; REPEALING SECTION 72-917, IDAHO CODE, RELATING TO READJUSTMENTS OF PAYROLLS; REPEALING SECTION 72-918, IDAHO CODE, RELATING TO POLICIES AND PAYMENT OF PREMIUMS; REPEALING SECTION 72-919, IDAHO CODE, RELATING TO ACTIONS FOR COLLECTION IN CASE OF DEFAULT, PENALTY AND CANCELLATION OF POLICY; REPEALING SECTION 72-920, IDAHO CODE, RELATING TO WITHDRAWAL FROM FUND; REPEALING SECTION 72-921, IDAHO CODE, RELATING TO REINSURANCE; REPEALING SECTION 72-922, IDAHO CODE, RELATING TO AUDIT OF PAYROLLS; REPEALING SECTION 72-923, IDAHO CODE, RELATING TO FALSIFICATION OF PAYROLL; REPEALING SECTION 72-924, IDAHO CODE, RELATING TO WILLFUL MISREPRESENTATION; AND REPEALING SECTION 72-925, IDAHO CODE, RELATING TO INSPECTIONS.

S 1245
BY FINANCE COMMITTEE
AN ACT

APPROPRIATING ADDITIONAL MONEYS TO THE DEPARTMENT OF CORRECTION FOR FISCAL YEAR 2014; AUTHORIZING ADDITIONAL FULL-TIME EQUIVALENT POSITIONS FOR FISCAL YEAR 2014; AND DECLARING AN EMERGENCY.

[S 1242](#), [S 1243](#), [S 1244](#), and [S 1245](#) were introduced, read the first time at length, and referred to the Judiciary and Rules Committee for printing.

[H 369](#), [H 370](#), [H 374](#), and [H 375](#), by Revenue and Taxation Committee, were introduced, read the first time at length, and referred to the Local Government and Taxation Committee.

Senators Brackett and Pearce were recorded present at this order of business.

The Senate advanced to the Twelfth Order of Business.

Second Reading of Bills

Senator McKenzie was recorded present at this order of business.

[S 1216](#), [S 1217](#), and [S 1218](#), by Finance Committee, were read the second time at length and filed for third reading.

The Senate advanced to the Thirteenth Order of Business.

Third Reading of Bills

[S 1213](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Rice arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Pursuant to Senate Rule 39(H), Senator Pearce disclosed a possible conflict of interest under applicable law.

Roll call resulted as follows:

AYES—Bair, Bayer, Bock, Brackett, Buckner-Webb, Cameron, Davis, Fulcher, Goedde, Hagedorn, Heider, Hill, Johnson, Keough, Lacey, Lakey, Lodge, Martin, McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Pearce, Rice, Schmidt, Siddoway, Thayn, Tippetts, Vick, Ward-Engelking, Werk, Winder. Total - 33.

NAYS—None.

Absent and excused—Guthrie, Stennett. Total - 2.

Total - 35.

Whereupon the President declared [S 1213](#) passed, title was approved, and the bill ordered transmitted to the House.

On request by Senator Davis, granted by unanimous consent, the Senate advanced to the Fifteenth Order of Business.

Miscellaneous Business

On motion by Senator Davis, seconded by Senator Werk, by voice vote, the Senate adjourned at 11:45 a.m. until the hour of 11:30 a.m., Monday, January 27, 2014.

BRAD LITTLE, President

Attest: JENNIFER NOVAK, Secretary

SENATE JOURNAL

OF THE

IDAHO LEGISLATURE

SECOND REGULAR SESSION
SIXTY-SECOND LEGISLATURE

TWENTY-SECOND LEGISLATIVE DAY
MONDAY, JANUARY 27, 2014

Senate Chamber

President Little called the Senate to order at 11:30 a.m.

Roll call showed all members present except Senators Buckner-Webb and Winder, absent and formally excused by the Chair; and Senator Cameron, absent and excused.

Prayer was offered by Chaplain Keith Buhler.

The Pledge of Allegiance was led by Anna Pietz, Page.

The Senate advanced to the Third Order of Business.

Reading and Correction of the Journal

The JUDICIARY AND RULES Committee reports that the Senate Journal of the proceedings of January 24, 2014, was read and approved as corrected.

LODGE, Chairman

There being no objection, the report was adopted and ordered filed in the office of the Secretary of the Senate.

On request by Senator Davis, granted by unanimous consent, the Senate advanced to the Fifth Order of Business.

Petitions, Resolutions, and Memorials

SJR 103 **BY STATE AFFAIRS COMMITTEE** A JOINT RESOLUTION

PROPOSING AN AMENDMENT TO SECTION 1, ARTICLE XIV, OF THE CONSTITUTION OF THE STATE OF IDAHO, RELATING TO PERSONS SUBJECT TO MILITARY DUTY; TO PROVIDE THAT ALL ABLE-BODIED PERSONS, RESIDENTS OF THIS STATE, AGES EIGHTEEN YEARS OR OLDER BE SUBJECT TO MILITARY DUTY; STATING THE QUESTION TO BE SUBMITTED TO THE ELECTORATE; DIRECTING THE LEGISLATIVE COUNCIL TO PREPARE THE STATEMENTS REQUIRED BY LAW AND DIRECTING THE SECRETARY OF STATE TO PUBLISH THE AMENDMENT AND ARGUMENTS AS REQUIRED BY LAW.

[SJR 103](#) was introduced, read the first time at length, and referred to the Judiciary and Rules Committee for printing.

The Senate advanced to the Sixth Order of Business.

Reports of Standing Committees

January 27, 2014

The JUDICIARY AND RULES Committee reports that [S 1242](#), [S 1243](#), [S 1244](#), and [S 1245](#) have been correctly printed.

LODGE, Chairman

[S 1242](#), [S 1243](#), and [S 1244](#) were referred to the Commerce and Human Resources Committee.

[S 1245](#) was referred to the Finance Committee.

Senator Cameron was recorded present at this order of business.

On request by Senator Davis, granted by unanimous consent, the Senate advanced to the Eighth Order of Business.

Messages from the Governor

January 23, 2014

The Honorable Brad Little
President of the Senate
Idaho Legislature

Dear Mr. President:

I have the honor to inform you that William W. Deal of Nampa, Idaho, was reappointed as a member of the Public Employee Retirement System of Idaho Board to serve a term commencing July 1, 2013, and expiring July 1, 2018.

This reappointment was made subject to confirmation by the Senate. Notice of reappointment is hereby given.

As Always - Idaho, *Esto Perpetua*
/s/ C.L. "Butch" Otter
Governor

The correspondence was ordered filed in the office of the Secretary of the Senate.

The Gubernatorial reappointment was referred to the Commerce and Human Resources Committee.

January 23, 2014

The Honorable Brad Little
President of the Senate
Idaho Legislature

Dear Mr. President:

I have the honor to inform you that Janet Penfold of Driggs, Idaho, was reappointed as a member of the State Board of Health and Welfare to serve a term commencing May 15, 2013, and expiring January 1, 2017.

This reappointment was made subject to confirmation by the Senate. Notice of reappointment is hereby given.

As Always - Idaho, *Esto Perpetua*
/s/ C.L. "Butch" Otter
Governor

The correspondence was ordered filed in the office of the Secretary of the Senate.

The Gubernatorial reappointment was referred to the Health and Welfare Committee.

January 24, 2014

The Honorable Brad Little
President of the Senate
Idaho Legislature

Dear Mr. President:

I have the honor to inform you that Megan Ronk of Meridian, Idaho, was reappointed as a member of the Idaho Commission on Human Rights to serve a term commencing July 1, 2013, and expiring July 1, 2016.

This reappointment was made subject to confirmation by the Senate. Notice of reappointment is hereby given.

As Always - Idaho, *Esto Perpetua*
/s/ C.L. "Butch" Otter
Governor

The correspondence was ordered filed in the office of the Secretary of the Senate.

The Gubernatorial reappointment was referred to the State Affairs Committee.

January 24, 2014

The Honorable Brad Little
President of the Senate
Idaho Legislature

Dear Mr. President:

I have the honor to inform you that Brian Scigliano of Boise, Idaho, was reappointed as a member of the Idaho Commission on Human Rights to serve a term commencing July 1, 2013, and expiring July 1, 2016.

This reappointment was made subject to confirmation by the Senate. Notice of reappointment is hereby given.

As Always - Idaho, *Esto Perpetua*
/s/ C.L. "Butch" Otter
Governor

The correspondence was ordered filed in the office of the Secretary of the Senate.

The Gubernatorial reappointment was referred to the State Affairs Committee.

January 24, 2014

The Honorable Brad Little
President of the Senate
Idaho Legislature

Dear Mr. President:

I have the honor to inform you that Estella O. Zamora of Caldwell, Idaho, was reappointed as a member of the Idaho Commission on Human Rights to serve a term commencing July 1, 2013, and expiring July 1, 2016.

This reappointment was made subject to confirmation by the Senate. Notice of reappointment is hereby given.

As Always - Idaho, *Esto Perpetua*
/s/ C.L. "Butch" Otter
Governor

The correspondence was ordered filed in the office of the Secretary of the Senate.

The Gubernatorial reappointment was referred to the State Affairs Committee.

On request by Senator Davis, granted by unanimous consent, the Senate advanced to the Tenth Order of Business.

Motions and Resolutions

The President announced that [SJM 103](#) was before the Senate for final consideration, the question being, "Shall the memorial be adopted?"

On motion by Senator Heider, seconded by Senator Davis, [SJM 103](#) was adopted by voice vote, title was approved, and the memorial ordered transmitted to the House.

The Senate advanced to the Eleventh Order of Business.

Introduction, First Reading, and Reference of Bills, House Petitions, Resolutions, and Memorials

S 1246

BY JUDICIARY AND RULES COMMITTEE

AN ACT

RELATING TO ESTATES; AMENDING SECTION 15-3-101, IDAHO CODE, TO REMOVE A REFERENCE TO FAMILY ALLOWANCE; AMENDING SECTION 15-3-1006, IDAHO CODE, TO REVISE TIME LIMITATION PROVISIONS RELATING TO CREDITOR CLAIMS AGAINST DISTRIBUTEES; AMENDING SECTION 15-3-1203 IDAHO CODE, TO REMOVE REFERENCES TO FAMILY ALLOWANCE AND TO MAKE A TECHNICAL CORRECTION; AND AMENDING SECTION 15-3-1204, IDAHO CODE, TO REMOVE REFERENCES TO FAMILY ALLOWANCE AND TO MAKE TECHNICAL CORRECTIONS.

S 1247

BY JUDICIARY AND RULES COMMITTEE

AN ACT

RELATING TO GUARDIANS; AMENDING SECTION 15-5-210, IDAHO CODE, TO PROVIDE THAT A GUARDIAN'S AUTHORITY AND RESPONSIBILITY ENDS UPON THE TERMINATION OF THE GUARDIANSHIP, TO PROVIDE THAT RESIGNATION OF A GUARDIAN WITHOUT THE APPOINTMENT OF A SUCCESSOR GUARDIAN DOES NOT TERMINATE THE GUARDIANSHIP UNTIL APPROVED BY A COURT AND TO PROVIDE THAT A GUARDIANSHIP MAY BE TERMINATED UPON PETITION BY AN INTERESTED PERSON IF IN THE BEST INTERESTS OF THE MINOR; AND AMENDING SECTION 15-5-212, IDAHO CODE, TO PROVIDE FOR MODIFICATION AND TERMINATION PROCEEDINGS AND TO MAKE A TECHNICAL CORRECTION.

S 1248

BY JUDICIARY AND RULES COMMITTEE

AN ACT

RELATING TO TESTAMENTARY APPOINTMENTS OF GUARDIANS OF MINORS; AMENDING SECTION 15-5-202, IDAHO CODE, TO REVISE PROVISIONS RELATING TO THE DISTRIBUTION OF WRITTEN NOTICE OF ACCEPTANCE OF TESTAMENTARY APPOINTMENT OF GUARDIANSHIP OF A MINOR, TO PROVIDE FOR THE APPOINTMENT OF ALTERNATIVE GUARDIANS, TO

SPECIFY CONDITIONS UNDER WHICH AN ALTERNATE GUARDIAN BECOMES THE APPOINTED GUARDIAN AND TO PROVIDE FOR WRITTEN NOTICE OF ACCEPTANCE; AND AMENDING SECTION 15-5-203, IDAHO CODE, TO PROVIDE THAT IN THE EVENT A MINOR OBJECTS TO A TESTAMENTARY APPOINTMENT THE ALTERNATE GUARDIAN NEXT IN PRIORITY NAMED IN THE WILL MAY ACCEPT THE APPOINTMENT, TO PROVIDE THAT THE MINOR SHALL HAVE THE SAME RIGHT OF OBJECTION AND TO MAKE A TECHNICAL CORRECTION.

S 1249

BY JUDICIARY AND RULES COMMITTEE

AN ACT

RELATING TO PROBATE; AMENDING SECTION 15-3-108, IDAHO CODE, TO PROVIDE THAT CERTAIN TIME LIMITATIONS FOR COMMENCEMENT OF PROCEEDINGS AND SPECIFIED LIMITATIONS SHALL NOT APPLY TO THE COLLECTION OF PERSONAL PROPERTY BY AFFIDAVIT OR THE SUMMARY ADMINISTRATION OF ESTATES IN WHICH A SURVIVING SPOUSE IS THE SOLE BENEFICIARY AND TO MAKE TECHNICAL CORRECTIONS.

S 1250

BY JUDICIARY AND RULES COMMITTEE

AN ACT

RELATING TO PROTECTED PERSONS; AMENDING CHAPTER 5, TITLE 15, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 15-5-108, IDAHO CODE, TO PROVIDE THAT CERTAIN ORDERS AND APPOINTMENTS HAVE NO EFFECT ON TESTAMENTARY CAPACITY, TO SPECIFY CERTAIN FACTORS INDICATIVE OF TESTAMENTARY CAPACITY AND TO CLARIFY THAT SPECIFIED PROVISIONS SHALL NOT ALTER OR MODIFY ANY CLAIM, CHALLENGE OR DEFENSE REGARDING THE VALIDITY OR EFFECTIVENESS OF THE EXERCISE OF TESTAMENTARY CAPACITY; AMENDING SECTION 15-5-408, IDAHO CODE, TO REMOVE PROVISIONS RELATING TO THE LACK OF EFFECT OF CERTAIN ORDERS ON THE CAPACITY OF PROTECTED PERSONS AND TO MAKE A TECHNICAL CORRECTION; AMENDING SECTION 15-5-427, IDAHO CODE, TO REMOVE UNNECESSARY VERBIAGE, TO PROVIDE FOR CONSIDERATION OF GENERAL POWERS OF APPOINTMENT, TO PROVIDE FOR CERTAIN LIMITATIONS OF LIABILITY AND RESPONSIBILITY FOR CONSERVATORS AND TO MAKE A TECHNICAL CORRECTION; AMENDING SECTION 32-106, IDAHO CODE, TO REMOVE ARCHAIC VERBIAGE AND TO SPECIFY THAT CERTAIN PERSONS HAVE NO POWER TO MAKE CONTRACTS; AMENDING SECTION 32-107, IDAHO CODE, TO REVISE VERBIAGE AND TO SPECIFY THAT CONTRACTS OF CERTAIN PERSONS ARE SUBJECT TO RESCISSION; AND AMENDING SECTION 32-108, IDAHO CODE, TO REMOVE ARCHAIC VERBIAGE, TO PROVIDE FOR AN EXCEPTION RELATING TO TESTAMENTARY CAPACITY FOR CERTAIN PERSONS PROHIBITED FROM MAKING CONVEYANCES AND CONTRACTS AND TO REMOVE PROVISIONS RELATING TO CERTAIN MEDICAL CERTIFICATIONS ESTABLISHING A PRESUMPTION OF LEGAL CAPACITY.

S 1251

BY JUDICIARY AND RULES COMMITTEE

AN ACT

RELATING TO THE PEACE OFFICER STANDARDS AND TRAINING COUNCIL; AMENDING SECTION 19-5101, IDAHO CODE, TO REVISE A DEFINITION AND TO MAKE TECHNICAL CORRECTIONS.

S 1252

BY STATE AFFAIRS COMMITTEE

AN ACT

RELATING TO WORKER'S COMPENSATION; AMENDING SECTION 72-301, IDAHO CODE, TO REVISE PROVISIONS RELATING TO SECURITY FOR PAYMENT OF COMPENSATION; AND AMENDING CHAPTER 3, TITLE 72, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 72-301A, IDAHO CODE, TO PROVIDE ALTERNATIVE SECURITY REQUIREMENTS FOR CERTAIN SELF-INSURED EMPLOYERS UNDER THE STATE WORKER'S COMPENSATION LAWS AND TO PROVIDE FOR RULES BY THE INDUSTRIAL COMMISSION.

S 1253

BY STATE AFFAIRS COMMITTEE

AN ACT

RELATING TO WINE; AMENDING SECTION 23-1331, IDAHO CODE, TO PROVIDE THAT MANUFACTURING OR BOTTLING FUNCTIONS OF A WINERY SHALL NOT BE SUBJECT TO SUSPENSION, REVOCATION OR NONRENEWAL OF A LICENSE AND TO PROVIDE AN EXCEPTION.

S 1254

BY STATE AFFAIRS COMMITTEE

AN ACT

RELATING TO FIREARMS REGULATION; PROVIDING LEGISLATIVE INTENT; AMENDING SECTION 18-3302B, IDAHO CODE, TO PROVIDE PENALTIES FOR CARRYING CONCEALED WEAPONS UNDER THE INFLUENCE OF ALCOHOL OR DRUGS ON A COLLEGE CAMPUS; AMENDING SECTION 18-3302J, IDAHO CODE, TO REVISE THE PREEMPTION OF FIREARMS REGULATION REGARDING COLLEGE CAMPUSES; AMENDING CHAPTER 33, TITLE 18, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 18-3309, IDAHO CODE, TO PROVIDE AUTHORITY OF GOVERNING BOARDS OF PUBLIC COLLEGES AND UNIVERSITIES REGARDING FIREARMS; AND AMENDING CHAPTER 3, TITLE 5, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 5-343, IDAHO CODE, TO PROVIDE CIVIL IMMUNITY OF COLLEGES AND UNIVERSITIES ALLOWING FIREARMS.

[S 1246](#), [S 1247](#), [S 1248](#), [S 1249](#), [S 1250](#), [S 1251](#), [S 1252](#), [S 1253](#), and [S 1254](#) were introduced, read the first time at length, and referred to the Judiciary and Rules Committee for printing.

The Senate advanced to the Twelfth Order of Business.

Second Reading of Bills

[S 1208](#) and [S 1209](#), by Transportation Committee, were read the second time at length and filed for third reading.

The Senate advanced to the Thirteenth Order of Business.

Third Reading of Bills

S 1216 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Lacey arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Bair, Bayer, Bock, Brackett, Cameron, Davis, Fulcher, Goedde, Guthrie, Hagedorn, Heider, Hill, Johnson, Keough, Lacey, Lakey, Lodge, Martin, McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Pearce, Rice, Schmidt, Siddoway, Stennett, Thayn, Tippetts, Vick, Ward-Engelking, Werk. Total - 33.

NAYS—None.

Absent and excused—Buckner-Webb, Winder. Total - 2.

Total - 35.

Whereupon the President declared **S 1216** passed, title was approved, and the bill ordered transmitted to the House.

S 1217 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Vick arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Bair, Bayer, Bock, Brackett, Cameron, Davis, Fulcher, Goedde, Guthrie, Hagedorn, Heider, Hill, Johnson, Keough, Lacey, Lakey, Lodge, Martin, McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Pearce, Rice, Schmidt, Siddoway, Stennett, Thayn, Tippetts, Vick, Ward-Engelking, Werk. Total - 33.

NAYS—None.

Absent and excused—Buckner-Webb, Winder. Total - 2.

Total - 35.

Whereupon the President declared **S 1217** passed, title was approved, and the bill ordered transmitted to the House.

S 1218 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Mortimer arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Bair, Bayer, Bock, Brackett, Cameron, Davis, Fulcher, Goedde, Guthrie, Hagedorn, Heider, Hill, Johnson, Keough, Lacey, Lakey, Lodge, Martin, McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Pearce, Rice, Schmidt, Siddoway, Stennett, Thayn, Tippetts, Vick, Ward-Engelking, Werk. Total - 33.

NAYS—None.

Absent and excused—Buckner-Webb, Winder. Total - 2.

Total - 35.

Whereupon the President declared **S 1218** passed, title was approved, and the bill ordered transmitted to the House.

On request by Senator Davis, granted by unanimous consent, the Senate advanced to the Fifteenth Order of Business.

Miscellaneous Business

On motion by Senator Davis, seconded by Senator Stennett, by voice vote, the Senate adjourned at 12 noon until the hour of 11:30 a.m., Tuesday, January 28, 2014.

BRAD LITTLE, President

Attest: JENNIFER NOVAK, Secretary

SENATE JOURNAL

OF THE

IDAHO LEGISLATURE

SECOND REGULAR SESSION
SIXTY-SECOND LEGISLATURE

TWENTY-THIRD LEGISLATIVE DAY
TUESDAY, JANUARY 28, 2014

Senate Chamber

President Pro Tempore Hill called the Senate to order at 11:30 a.m.

Roll call showed all members present except Senators Buckner-Webb, McKenzie, and Winder, absent and formally excused by the Chair; and Senator Cameron, absent and excused.

Prayer was offered by Chaplain Keith Buhler.

The Pledge of Allegiance was led by Jacob Price, Page.

The Senate advanced to the Third Order of Business.

Reading and Correction of the Journal

The JUDICIARY AND RULES Committee reports that the Senate Journal of the proceedings of January 27, 2014, was read and approved as corrected.

LODGE, Chairman

There being no objection, the report was adopted and ordered filed in the office of the Secretary of the Senate.

On request by Senator Davis, granted by unanimous consent, the Senate advanced to the Fifth Order of Business.

Petitions, Resolutions, and Memorials

SCR 133

BY RESOURCES AND ENVIRONMENT COMMITTEE

A CONCURRENT RESOLUTION

STATING FINDINGS OF THE LEGISLATURE AND REJECTING A CERTAIN RULE DOCKET OF THE OUTFITTERS AND GUIDES LICENSING BOARD RELATING TO RULES OF THE OUTFITTERS AND GUIDES LICENSING BOARD.

Be It Resolved by the Legislature of the State of Idaho:

WHEREAS, the Legislature is vested with authority to reject executive agency rules under the provisions of Section 67-5291, Idaho Code, in the event that the Legislature finds that the rules are not consistent with legislative intent; and

WHEREAS, it is the finding of the Legislature that a certain rule docket of the Outfitters and Guides Licensing Board relating to Rules of the Outfitters and Guides Licensing Board is not consistent with legislative intent and should be rejected.

NOW, THEREFORE, BE IT RESOLVED by the members of the Second Regular Session of the Sixty-second Idaho Legislature, the Senate and the House of Representatives concurring therein, that IDAPA 25.01.01, Outfitters and Guides

Licensing Board, Rules of the Outfitters and Guides Licensing Board, adopted as a pending rule under Docket Number 25-0101-1201, the entire rulemaking docket, be, and the same is hereby rejected and declared null, void and of no force and effect.

[SCR 133](#) was introduced, read at length, and referred to the Judiciary and Rules Committee for printing.

The Senate advanced to the Sixth Order of Business.

Reports of Standing Committees

January 28, 2014

The JUDICIARY AND RULES Committee reports that [SJR 103](#), [S 1246](#), [S 1247](#), [S 1248](#), [S 1249](#), [S 1250](#), [S 1251](#), [S 1252](#), [S 1253](#), and [S 1254](#) have been correctly printed.

LODGE, Chairman

[SJR 103](#), [S 1253](#), and [S 1254](#) were referred to the State Affairs Committee.

[S 1246](#), [S 1247](#), [S 1248](#), [S 1249](#), [S 1250](#), and [S 1251](#) were referred to the Judiciary and Rules Committee.

[S 1252](#) was referred to the Commerce and Human Resources Committee.

January 27, 2014

The FINANCE Committee reports out [S 1245](#) with the recommendation that it do pass.

CAMERON, Chairman

[S 1245](#) was filed for second reading.

January 27, 2014

The RESOURCES AND ENVIRONMENT Committee reports out [S 1220](#) with the recommendation that it do pass.

PEARCE, Chairman

[S 1220](#) was filed for second reading.

January 27, 2014

The JUDICIARY AND RULES Committee reports out [S 1214](#) and [S 1215](#) with the recommendation that they do pass.

LODGE, Chairman

[S 1214](#) and [S 1215](#) were filed for second reading.

January 27, 2014

The HEALTH AND WELFARE Committee reports out [S 1222](#) with the recommendation that it do pass.

HEIDER, Chairman

[S 1222](#) was filed for second reading.

On request by Senator Davis, granted by unanimous consent, the Senate advanced to the Eighth Order of Business.

Messages from the Governor

January 27, 2014

The Honorable Brad Little
President of the Senate
Idaho Legislature

Dear Mr. President:

I have the honor to inform you that Mark Sweeney of Lewiston, Idaho, was reappointed as a member of the Aeronautics Advisory Board to serve a term commencing January 31, 2014, and expiring January 31, 2019.

This reappointment was made subject to confirmation by the Senate. Notice of reappointment is hereby given.

As Always - Idaho, *Esto Perpetua*
/s/ C.L. "Butch" Otter
Governor

The correspondence was ordered filed in the office of the Secretary of the Senate.

The Gubernatorial reappointment was referred to the Transportation Committee.

The Senate advanced to the Ninth Order of Business.

Messages from the House

January 27, 2014

Dear Mr. President:

I transmit herewith [H 386](#), [H 387](#), [H 388](#), [H 346](#), [H 347](#), [H 359](#), [H 364](#), and [H 365](#), which have passed the House.

ALEXANDER, Chief Clerk

[H 386](#), [H 387](#), [H 388](#), [H 346](#), [H 347](#), [H 359](#), [H 364](#), and [H 365](#) were filed for first reading.

On request by Senator Davis, granted by unanimous consent, the Senate advanced to the Eleventh Order of Business.

Introduction, First Reading, and Reference of Bills, House Petitions, Resolutions, and Memorials

S 1255

BY RESOURCES AND ENVIRONMENT COMMITTEE AN ACT

RELATING TO THE CONVEYANCE OF MINERAL RIGHTS; AMENDING CHAPTER 1, TITLE 55, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 55-101C, IDAHO CODE, TO PROVIDE THAT CERTAIN CONVEYANCES OF MINERAL RIGHTS INCLUDE RIGHTS TO OIL AND GAS, TO PROVIDE THAT CERTAIN CONVEYANCES OF MINERAL RIGHTS ARE PRESUMED TO INCLUDE RIGHTS TO OIL AND GAS AND TO PROVIDE EXCEPTIONS.

[S 1255](#) was introduced, read the first time at length, and referred to the Judiciary and Rules Committee for printing.

Senator Cameron was recorded present at this order of business.

[H 386](#), [H 387](#), and [H 388](#), by Appropriations Committee, were introduced, read the first time at length, and referred to the Finance Committee.

[H 346](#), [H 347](#), and [H 359](#), by Business Committee, were introduced, read the first time at length, and referred to the Commerce and Human Resources Committee.

[H 364](#), by Transportation and Defense Committee, was introduced, read the first time at length, and referred to the Transportation Committee.

[H 365](#), by Transportation and Defense Committee, was introduced, read the first time at length, and referred to the State Affairs Committee.

On request by Senator Davis, granted by unanimous consent, the Senate advanced to the Thirteenth Order of Business.

Third Reading of Bills

[S 1208](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Hagedorn arose as sponsor of the bill and opened the debate.

On request by Senator Hagedorn, granted by unanimous consent, [S 1208](#) was recommitted to the Transportation Committee.

On request by Senator Johnson, granted by unanimous consent, [S 1209](#) retained its place on the Third Reading Calendar for Thursday, January 30, 2014.

On request by Senator Davis, granted by unanimous consent, the Senate advanced to the Fifteenth Order of Business.

Miscellaneous Business

On motion by Senator Davis, seconded by Senator Bock, by voice vote, the Senate adjourned at 11:55 a.m. until the hour of 11:30 a.m., Wednesday, January 29, 2014.

BRENT HILL, President Pro Tempore

Attest: JENNIFER NOVAK, Secretary

SENATE JOURNAL

OF THE

IDAHO LEGISLATURE

SECOND REGULAR SESSION
SIXTY-SECOND LEGISLATURE

TWENTY-FOURTH LEGISLATIVE DAY
WEDNESDAY, JANUARY 29, 2014

Senate Chamber

President Pro Tempore Hill called the Senate to order at 11:30 a.m.

Roll call showed all members present except Senator Winder, absent and formally excused by the Chair.

Prayer was offered by Chaplain Keith Buhler.

The Pledge of Allegiance was led by Jordan Price, Page.

The Senate advanced to the Third Order of Business.

Reading and Correction of the Journal

The JUDICIARY AND RULES Committee reports that the Senate Journal of the proceedings of January 28, 2014, was read and approved as corrected.

LODGE, Chairman

There being no objection, the report was adopted and ordered filed in the office of the Secretary of the Senate.

On request by Senator Davis, granted by unanimous consent, the Senate advanced to the Fifth Order of Business.

Petitions, Resolutions, and Memorials

SJM 104 **BY STATE AFFAIRS COMMITTEE** **A JOINT MEMORIAL**

TO THE SENATE AND HOUSE OF REPRESENTATIVES OF THE UNITED STATES IN CONGRESS ASSEMBLED, AND TO THE CONGRESSIONAL DELEGATION REPRESENTING THE STATE OF IDAHO IN THE CONGRESS OF THE UNITED STATES.

We, your Memorialists, the Senate and the House of Representatives of the State of Idaho assembled in the Second Regular Session of the Sixty-second Idaho Legislature, do hereby respectfully represent that:

WHEREAS, under Article V of the Constitution of the United States, Congress has a duty to call a convention for proposing amendments to the Constitution "on the application of the legislatures of two-thirds of the several states"; and

WHEREAS, the duty to call an Article V convention on application of the states implies that Congress shall keep an accurate record of such applications of the legislatures of the states; and

WHEREAS, the records of Congress should be open and accessible to the people of the United States; and

WHEREAS, Congress does not currently keep a record of the Article V applications of the states.

NOW, THEREFORE, BE IT RESOLVED by the members of the Second Regular Session of the Sixty-second Idaho Legislature, the Senate and the House of Representatives concurring therein, that Congress shall maintain a record of the Article V applications of the states in a form that is open and accessible to the people of the United States.

BE IT FURTHER RESOLVED that the Secretary of the Senate be, and she is hereby authorized and directed to forward a copy of this Memorial to the President of the Senate and the Speaker of the House of Representatives of Congress, and the congressional delegation representing the State of Idaho in the Congress of the United States.

[SJM 104](#) was introduced, read at length, and referred to the Judiciary and Rules Committee for printing.

The Senate advanced to the Sixth Order of Business.

Reports of Standing Committees

January 29, 2014

The JUDICIARY AND RULES Committee reports that [SCR 133](#) and [S 1255](#) have been correctly printed.

LODGE, Chairman

[SCR 133](#) was referred to the Tenth Order of Business, Motions and Resolutions, and ordered held at the Secretary's desk for one legislative day.

[S 1255](#) was referred to the Resources and Environment Committee.

January 28, 2014

The FINANCE Committee reports out [H 386](#), [H 387](#), and [H 388](#) with the recommendation that they do pass.

CAMERON, Chairman

[H 386](#), [H 387](#), and [H 388](#) were filed for second reading.

January 28, 2014

The HEALTH AND WELFARE Committee reports out [S 1223](#) and [S 1224](#) with the recommendation that they do pass.

HEIDER, Chairman

[S 1223](#) and [S 1224](#) were filed for second reading.

January 28, 2014

The COMMERCE AND HUMAN RESOURCES Committee reports it has had under consideration the Gubernatorial appointments listed below and the Committee recommends that said appointments be confirmed by the Senate:

Dr. John Livingston to the Idaho Health Insurance Exchange Board, term to expire April 10, 2017.

Fernando Veloz to the Idaho Health Insurance Exchange Board, term to expire April 10, 2017.

Jeff Agenbroad to the Idaho Health Insurance Exchange Board, term to expire April 10, 2017.

Margaret Henbest to the Idaho Health Insurance Exchange Board, term to expire April 10, 2017.

Stephen Weeg to the Idaho Health Insurance Exchange Board, term to expire April 10, 2017.

Tom Shores to the Idaho Health Insurance Exchange Board, term to expire April 10, 2017.

TIPPETS, Chairman

The Gubernatorial appointments were referred to the Tenth Order of Business, Motions and Resolutions, and ordered held at the Secretary's desk for one legislative day.

On request by Senator Davis, granted by unanimous consent, the Senate advanced to the Ninth Order of Business.

Messages from the House

January 28, 2014

Dear Mr. President:

I transmit herewith [H 366](#), [H 407](#), [H 358](#), and [H 360](#), which have passed the House.

ALEXANDER, Chief Clerk

[H 366](#), [H 407](#), [H 358](#), and [H 360](#) were filed for first reading.

January 28, 2014

Dear Mr. President:

I return herewith [S 1210](#), which has passed the House.

ALEXANDER, Chief Clerk

[S 1210](#) was referred to the Judiciary and Rules Committee for enrolling.

On request by Senator Davis, granted by unanimous consent, the Senate advanced to the Eleventh Order of Business.

Introduction, First Reading, and Reference of Bills, House Petitions, Resolutions, and Memorials

S 1256

BY HEALTH AND WELFARE COMMITTEE

AN ACT

RELATING TO THE STATE BOARD OF MEDICINE; AMENDING SECTION 54-1805, IDAHO CODE, TO REVISE PROVISIONS RELATING TO THE TERMS OF BOARD MEMBERS AND TO MAKE TECHNICAL CORRECTIONS.

S 1257

BY EDUCATION COMMITTEE

AN ACT

RELATING TO SCHOOL BUSES; AMENDING SECTION 49-1422, IDAHO CODE, TO REVISE PROVISIONS RELATING TO THE COLOR OF SCHOOL BUSES NO LONGER USED FOR THE TRANSPORTATION OF PUPILS AND TO MAKE TECHNICAL CORRECTIONS.

S 1258

BY STATE AFFAIRS COMMITTEE

AN ACT

RELATING TO CODIFIER'S CORRECTIONS; AMENDING SECTION 16-1501, IDAHO CODE, TO MAKE A CODIFIER'S CORRECTION AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 18-5623, IDAHO CODE, TO MAKE A TECHNICAL CORRECTION; AMENDING SECTION 18-5624, IDAHO CODE, TO MAKE A TECHNICAL CORRECTION; AMENDING SECTION 19-865, IDAHO CODE, TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 23-1003, IDAHO CODE, REMOVE OBSOLETE LANGUAGE AND TO MAKE TECHNICAL

CORRECTIONS; AMENDING SECTION 25-3201, IDAHO CODE, TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 25-3203, IDAHO CODE, TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 28-4-613, IDAHO CODE, TO MAKE A TECHNICAL CORRECTION; AMENDING SECTION 28-5-120, IDAHO CODE, TO MAKE A TECHNICAL CORRECTION; AMENDING SECTION 28-41-201, IDAHO CODE, TO MAKE CODIFIER'S CORRECTIONS AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 28-44-107, IDAHO CODE, TO MAKE A CODIFIER'S CORRECTION; AMENDING SECTION 28-49-101, IDAHO CODE, TO REMOVE OBSOLETE LANGUAGE; AMENDING SECTION 28-51-105, IDAHO CODE, TO PROVIDE CORRECT TERMINOLOGY AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 30-1-630, IDAHO CODE, TO MAKE A TECHNICAL CORRECTION; AMENDING SECTION 30-1-1302, IDAHO CODE, TO PROVIDE CORRECT TERMINOLOGY AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 30-3-20, IDAHO CODE, TO PROVIDE A CORRECT CODE REFERENCE; AMENDING SECTION 30-1604, IDAHO CODE, TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 30-1705, IDAHO CODE, TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 31-3403, IDAHO CODE, TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 31-3505, IDAHO CODE, TO MAKE A TECHNICAL CORRECTION; AMENDING SECTION 31-4819, IDAHO CODE, TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 33-1602, IDAHO CODE, TO MAKE A CODIFIER'S CORRECTION; AMENDING SECTION 38-1019, IDAHO CODE, TO MAKE A CODIFIER'S CORRECTION; AMENDING SECTION 40-312, IDAHO CODE, TO MAKE A CODIFIER'S CORRECTION AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 40-317, IDAHO CODE, TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 41-716, IDAHO CODE, TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 41-3813, IDAHO CODE, TO PROVIDE CORRECT TERMINOLOGY; REPEALING SECTION 42-1736, IDAHO CODE, RELATING TO LEGISLATIVE REVIEW OF THE STATE WATER PLAN; AMENDING SECTION 49-244, IDAHO CODE, TO MAKE A TECHNICAL CORRECTION; AMENDING SECTION 49-420J, IDAHO CODE, TO MAKE TECHNICAL CORRECTIONS; AMENDING THE HEADING FOR CHAPTER 19, TITLE 49, IDAHO CODE, TO PROVIDE CORRECT TERMINOLOGY; AMENDING SECTION 54-1218, IDAHO CODE, TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 54-2706, IDAHO CODE, TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 58-310, IDAHO CODE, TO REMOVE CODE REFERENCES; REPEALING SECTIONS 58-310A AND 58-310B, IDAHO CODE, RELATING TO LEASES OF LANDS; AND AMENDING SECTION 67-3002, IDAHO CODE, TO PROVIDE CORRECT TERMINOLOGY.

[S 1256](#), [S 1257](#), and [S 1258](#) were introduced, read the first time at length, and referred to the Judiciary and Rules Committee for printing.

[H 366](#), by Transportation and Defense Committee, was introduced, read the first time at length, and referred to the State Affairs Committee.

[H 407](#), by Appropriations Committee, was introduced, read the first time at length, and referred to the Finance Committee.

[H 358](#) and [H 360](#), by Business Committee, were introduced, read the first time at length, and referred to the Commerce and Human Resources Committee.

The Senate advanced to the Twelfth Order of Business.

Second Reading of Bills

[S 1245](#), by Finance Committee, was read the second time at length and filed for third reading.

[S 1220](#), by Resources and Environment Committee, was read the second time at length and filed for third reading.

[S 1214](#) and [S 1215](#), by Judiciary and Rules Committee, were read the second time at length and filed for third reading.

[S 1222](#), by Health and Welfare Committee, was read the second time at length and filed for third reading.

On request by Senator Davis, granted by unanimous consent, the Senate advanced to the Fifteenth Order of Business.

Miscellaneous Business

On motion by Senator Davis, seconded by Senator Stennett, by voice vote, the Senate adjourned at 11:50 a.m. until the hour of 11 a.m., Thursday, January 30, 2014.

BRENT HILL, President Pro Tempore

Attest: JENNIFER NOVAK, Secretary

SENATE JOURNAL

OF THE

IDAHO LEGISLATURE

SECOND REGULAR SESSION
SIXTY-SECOND LEGISLATURE

TWENTY-FIFTH LEGISLATIVE DAY
THURSDAY, JANUARY 30, 2014

Senate Chamber

President Pro Tempore Hill called the Senate to order at 11 a.m.

Roll call showed all members present except Senator Goedde, absent and formally excused by the Chair; and Senators Bayer, Cameron, and Patrick, absent and excused.

Prayer was offered by Chaplain Keith Buhler.

The Pledge of Allegiance was led by Aaron Sweet, Page.

The Senate advanced to the Third Order of Business.

Reading and Correction of the Journal

The JUDICIARY AND RULES Committee reports that the Senate Journal of the proceedings of January 29, 2014, was read and approved as corrected.

LODGE, Chairman

There being no objection, the report was adopted and ordered filed in the office of the Secretary of the Senate.

On request by Senator Davis, granted by unanimous consent, the Senate advanced to the Sixth Order of Business.

Reports of Standing Committees

January 29, 2014

The JUDICIARY AND RULES Committee reports that [SJM 104](#), [S 1256](#), [S 1257](#), and [S 1258](#) have been correctly printed.

LODGE, Chairman

On request by Senator McKenzie, granted by unanimous consent, [SJM 104](#) was referred to the State Affairs Committee.

[S 1256](#) was referred to the Health and Welfare Committee.

[S 1257](#) was referred to the Education Committee.

[S 1258](#) was referred to the State Affairs Committee.

Senators Bayer and Patrick were recorded present at this order of business.

January 29, 2014

The JUDICIARY AND RULES Committee reports that [S 1210](#) has been correctly enrolled.

LODGE, Chairman

The President Pro Tempore signed Enrolled [S 1210](#) and ordered it transmitted to the House for the signature of the Speaker.

January 29, 2014

The FINANCE Committee reports out [H 407](#) with the recommendation that it do pass.

CAMERON, Chairman

[H 407](#) was filed for second reading.

January 29, 2014

The LOCAL GOVERNMENT AND TAXATION Committee reports out [S 1235](#), [S 1236](#), [S 1237](#), and [S 1238](#) with the recommendation that they do pass.

SIDDOWAY, Chairman

[S 1235](#), [S 1236](#), [S 1237](#), and [S 1238](#) were filed for second reading.

On request by Senator Davis, granted by unanimous consent, the Senate advanced to the Eighth Order of Business.

Messages from the Governor

January 29, 2014

The Honorable Brad Little
President of the Senate
Idaho Legislature

Dear Mr. President:

I have the honor to inform you that Dolly Ouita Bedal of Boise, Idaho, was reappointed as a member of the Sexual Offender Management Board to serve a term commencing January 1, 2014, and expiring January 1, 2017.

This reappointment was made subject to confirmation by the Senate. Notice of reappointment is hereby given.

As Always - Idaho, *Esto Perpetua*
/s/ C.L. "Butch" Otter
Governor

The correspondence was ordered filed in the office of the Secretary of the Senate.

The Gubernatorial reappointment was referred to the Judiciary and Rules Committee.

January 29, 2014

The Honorable Brad Little
President of the Senate
Idaho Legislature

Dear Mr. President:

I have the honor to inform you that Paula K. Garay of Meridian, Idaho, was reappointed as a member of the Sexual Offender Management Board to serve a term commencing January 1, 2014, and expiring January 1, 2017.

This reappointment was made subject to confirmation by the Senate. Notice of reappointment is hereby given.

As Always - Idaho, *Esto Perpetua*
/s/ C.L. "Butch" Otter
Governor

The correspondence was ordered filed in the office of the Secretary of the Senate.

The Gubernatorial reappointment was referred to the Judiciary and Rules Committee.

January 29, 2014

The Honorable Brad Little
President of the Senate
Idaho Legislature

Dear Mr. President:

I have the honor to inform you that Kimberly Simmons of Boise, Idaho, was reappointed as a member of the Sexual Offender Management Board to serve a term commencing January 1, 2014, and expiring January 1, 2017.

This reappointment was made subject to confirmation by the Senate. Notice of reappointment is hereby given.

As Always - Idaho, *Esto Perpetua*
/s/ C.L. "Butch" Otter
Governor

The correspondence was ordered filed in the office of the Secretary of the Senate.

The Gubernatorial reappointment was referred to the Judiciary and Rules Committee.

January 29, 2014

The Honorable Brad Little
President of the Senate
Idaho Legislature

Dear Mr. President:

I have the honor to inform you that Leon Kyle Slichter of Grangeville, Idaho, was appointed as a member of the State Soil and Water Conservation Commission to serve a term commencing January 22, 2014, and expiring July 1, 2018.

This appointment was made subject to confirmation by the Senate. Notice of appointment is hereby given.

As Always - Idaho, *Esto Perpetua*
/s/ C.L. "Butch" Otter
Governor

The correspondence was ordered filed in the office of the Secretary of the Senate.

The Gubernatorial appointment was referred to the Agricultural Affairs Committee.

Senator Cameron was recorded present at this order of business.

The Senate advanced to the Ninth Order of Business.

Messages from the House

January 29, 2014

Dear Mr. President:

I transmit herewith [H 381](#) and [H 384](#), which have passed the House.

ALEXANDER, Chief Clerk

[H 381](#) and [H 384](#) were filed for first reading.

The Senate advanced to the Tenth Order of Business.

Motions and Resolutions

The President Pro Tempore announced that [SCR 133](#) was before the Senate for final consideration, the question being, "Shall the resolution be adopted?"

On motion by Senator Bair, seconded by Senator Lacey, [SCR 133](#) was adopted by voice vote, title was approved, and the resolution ordered transmitted to the House.

The President Pro Tempore announced that the Commerce and Human Resources Committee report relative to the Gubernatorial appointment of Dr. John Livingston was before the Senate for final consideration, the question being, "Shall the report be adopted?"

On motion by Senator Schmidt, seconded by Senator Werk, the Gubernatorial appointment of Dr. John Livingston as a member of the Idaho Health Insurance Exchange Board was confirmed by voice vote.

The President Pro Tempore declared the report adopted and directed the Secretary of the Senate to prepare a letter of the Gubernatorial appointment confirmation for his signature, attested to by the Secretary, to be transmitted to the Governor informing him of the action of the Senate.

The President Pro Tempore announced that the Commerce and Human Resources Committee report relative to the Gubernatorial appointment of Fernando Veloz was before the Senate for final consideration, the question being, "Shall the report be adopted?"

On motion by Senator Tippetts, seconded by Senator Stennett, the Gubernatorial appointment of Fernando Veloz as a member of the Idaho Health Insurance Exchange Board was confirmed by voice vote.

The President Pro Tempore declared the report adopted and directed the Secretary of the Senate to prepare a letter of the Gubernatorial appointment confirmation for his signature, attested to by the Secretary, to be transmitted to the Governor informing him of the action of the Senate.

The President Pro Tempore announced that the Commerce and Human Resources Committee report relative to the Gubernatorial appointment of Jeff Agenbroad was before the Senate for final consideration, the question being, "Shall the report be adopted?"

On motion by Senator Lakey, seconded by Senator Tippetts, the Gubernatorial appointment of Jeff Agenbroad as a member of the Idaho Health Insurance Exchange Board was confirmed by voice vote.

The President Pro Tempore declared the report adopted and directed the Secretary of the Senate to prepare a letter of the Gubernatorial appointment confirmation for his signature, attested to by the Secretary, to be transmitted to the Governor informing him of the action of the Senate.

The President Pro Tempore announced that the Commerce and Human Resources Committee report relative to the Gubernatorial appointment of Margaret Henbest was before the Senate for final consideration, the question being, "Shall the report be adopted?"

On motion by Senator Cameron, seconded by Senator Stennett, the Gubernatorial appointment of Margaret Henbest as a member of the Idaho Health Insurance Exchange Board was confirmed by voice vote.

The President Pro Tempore declared the report adopted and directed the Secretary of the Senate to prepare a letter of the Gubernatorial appointment confirmation for his signature, attested to by the Secretary, to be transmitted to the Governor informing him of the action of the Senate.

The President Pro Tempore announced that the Commerce and Human Resources Committee report relative to the Gubernatorial appointment of Stephen Weeg was before the Senate for final consideration, the question being, "Shall the report be adopted?"

On motion by Senator Schmidt, seconded by Senator Werk, the Gubernatorial appointment of Stephen Weeg as a member of the Idaho Health Insurance Exchange Board was confirmed by voice vote.

The President Pro Tempore declared the report adopted and directed the Secretary of the Senate to prepare a letter of the Gubernatorial appointment confirmation for his signature, attested to by the Secretary, to be transmitted to the Governor informing him of the action of the Senate.

On request by Senator Davis, granted by unanimous consent, the committee report of the Gubernatorial appointment confirmation of Tom Shores retained its place on the calendar for Monday, February 3, 2014.

The Senate advanced to the Eleventh Order of Business.

**Introduction, First Reading, and Reference of Bills,
House Petitions, Resolutions, and Memorials**

**S 1259
BY JUDICIARY AND RULES COMMITTEE
AN ACT**

RELATING TO BATTERY; AMENDING CHAPTER 9, TITLE 18, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 18-915C, IDAHO CODE, TO AUTHORIZE PUNISHMENT FOR BATTERY AGAINST CERTAIN HEALTH CARE WORKERS, TO PROVIDE AFFIRMATIVE DEFENSES AND TO PROVIDE FOR THE APPLICATION OF CERTAIN SECTIONS OF IDAHO CODE.

**S 1260
BY HEALTH AND WELFARE COMMITTEE
AN ACT**

RELATING TO HAZARDOUS WASTE MANAGEMENT; AMENDING SECTION 39-4403, IDAHO CODE, TO REVISE THE DEFINITION OF "RESTRICTED HAZARDOUS WASTE."

**S 1261
BY HEALTH AND WELFARE COMMITTEE
AN ACT**

RELATING TO NURSES; AMENDING SECTION 54-1401, IDAHO CODE, TO REVISE PROVISIONS RELATING TO CRIMINAL HISTORY CHECKS AND TO MAKE A TECHNICAL CORRECTION.

**S 1262
BY HEALTH AND WELFARE COMMITTEE
AN ACT**

RELATING TO NURSES; AMENDING SECTION 54-1404, IDAHO CODE, TO REVISE TERMINOLOGY, TO AUTHORIZE THE IMPOSITION OF A MONETARY PENALTY AS AN ALTERNATIVE TO FORMAL DISCIPLINE AGAINST NURSES WHO VIOLATE NURSING STATUTES OR RULES, TO CORRECT A CODIFIER ERROR AND TO MAKE TECHNICAL CORRECTIONS.

**S 1263
BY HEALTH AND WELFARE COMMITTEE
AN ACT**

RELATING TO VITAL STATISTICS; AMENDING SECTION 39-241, IDAHO CODE, TO REVISE A DEFINITION AND TO CLARIFY THE ROLE OF AN ADVANCED PRACTICE REGISTERED NURSE; AMENDING SECTION 39-260, IDAHO CODE, TO REVISE TERMINOLOGY AND TO MAKE A TECHNICAL CORRECTION; AND AMENDING SECTION 39-268, IDAHO CODE, TO REVISE TERMINOLOGY.

**S 1264
BY EDUCATION COMMITTEE
AN ACT**

RELATING TO THE PUBLIC CHARTER SCHOOL COMMISSION; AMENDING SECTION 33-5213, IDAHO CODE, TO PROVIDE THAT IT SHALL BE THE RESPONSIBILITY AND DUTY OF THE DIRECTOR OF THE STATE BOARD OF EDUCATION, OR HIS DESIGNEE, TO ADMINISTER AND ENFORCE CERTAIN PROVISIONS AND TO PROVIDE FOR POLICIES AND RECOMMENDATIONS.

**S 1265
BY LOCAL GOVERNMENT AND TAXATION
COMMITTEE
AN ACT**

RELATING TO AIRPORT ZONING; AMENDING SECTION 21-503, IDAHO CODE, TO PROVIDE THAT POLITICAL SUBDIVISIONS HAVE THE POWER TO ADOPT REGULATIONS, TO REVISE TERMINOLOGY, TO REVISE A CODE REFERENCE, TO REMOVE PROVISIONS RELATING TO THE METHOD OF ADOPTING ZONING REGULATIONS, TO REMOVE A PROVISION RELATING TO ZONING AVIATION HAZARD AREAS ADJACENT TO AN AIRPORT AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 67-6502, IDAHO CODE, TO REVISE TERMINOLOGY AND TO PROVIDE THAT PUBLIC AIRPORTS ARE ESSENTIAL COMMUNITY FACILITIES; AMENDING SECTION 67-6508, IDAHO CODE, TO PROVIDE FOR PUBLIC AIRPORT FACILITIES IN THE PLANNING DUTIES OF A PLANNING AND ZONING COMMISSION; AMENDING SECTION 67-6509, IDAHO CODE, TO PROVIDE THAT NOTICE OF INTENT TO AMEND A ZONING PLAN SHALL BE SENT TO THE MANAGER OF A LOCAL AIRPORT; AMENDING SECTION

67-6512, IDAHO CODE, TO PROVIDE THAT A STUDY OF AVIATION HAZARDS MAY BE REQUIRED FOR A SPECIAL USE PERMIT; AMENDING SECTION 67-6515A, IDAHO CODE, TO PROVIDE FOR NOTICE AND HEARING IN THE TRANSFER OF DEVELOPMENT RIGHTS AND TO PROVIDE THAT AVIATION HAZARDS SHALL BE AVOIDED IN THE TRANSFER OF DEVELOPMENT RIGHTS; AND AMENDING SECTION 67-6516, IDAHO CODE, TO PROVIDE FOR NOTICE AND HEARING IN THE CONSIDERATION OF VARIANCE PERMITS.

S 1266

BY AGRICULTURAL AFFAIRS COMMITTEE
AN ACT

RELATING TO BEES; AMENDING SECTION 22-2510, IDAHO CODE, TO PROVIDE AN EXEMPTION FROM SPECIFIED FEES, TO PROVIDE FOR REGISTRATION AND TO SPECIFY INFORMATION TO BE SUPPLIED; AND AMENDING SECTION 22-2809, IDAHO CODE, TO PROVIDE AN EXEMPTION FROM SPECIFIED FEES AND TAXES, TO PROVIDE FOR REGISTRATION AND TO SPECIFY INFORMATION TO BE SUPPLIED.

S 1267

BY AGRICULTURAL AFFAIRS COMMITTEE
AN ACT

RELATING TO THE EQUINE EDUCATION ACCOUNT; AMENDING SECTION 57-818, IDAHO CODE, TO REQUIRE A SPECIFIED APPROPRIATION AND USE OF MONEYS IN THE EQUINE EDUCATION ACCOUNT, TO REMOVE CERTAIN CONDITIONS OF EXPENDITURE, TO REMOVE PROVISIONS RELATING TO THE USE OF BALANCES AT THE END OF THE FISCAL YEAR, TO PROVIDE THAT UPDATES OF THE IDAHO HORSE CENSUS SURVEY SHALL BE INITIATED BY THE IDAHO HORSE COUNCIL, TO PROVIDE FOR A NEGOTIATED CONTRACT, TO PROVIDE THAT THE UNIVERSITY OF IDAHO SOCIAL SCIENCE RESEARCH UNIT WILL INVOICE THE ACCOUNT FOR DISTRIBUTION AND TO PROVIDE FOR USE OF UNEXPENDED APPROPRIATION BALANCES; AND DECLARING AN EMERGENCY.

S 1268

BY AGRICULTURAL AFFAIRS COMMITTEE
AN ACT

RELATING TO ANIMALS; AMENDING CHAPTER 2, TITLE 25, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 25-207C, IDAHO CODE, TO PROVIDE THAT CERTAIN BEEF BULLS SHALL BE TESTED ANNUALLY FOR TRICHOMONIASIS.

S 1259, S 1260, S 1261, S 1262, S 1263, S 1264, S 1265, S 1266, S 1267, and S 1268 were introduced, read the first time at length, and referred to the Judiciary and Rules Committee for printing.

H 381 and H 384, by Revenue and Taxation Committee, were introduced, read the first time at length, and referred to the Local Government and Taxation Committee.

The Senate advanced to the Twelfth Order of Business.

Second Reading of Bills

H 386, H 387, and H 388, by Appropriations Committee, were read the second time at length and filed for third reading.

S 1223 and S 1224, by Health and Welfare Committee, were read the second time at length and filed for third reading.

The Senate advanced to the Thirteenth Order of Business.

Third Reading of Bills

On request by Senator Johnson, granted by unanimous consent, S 1209 was recommitted to the Transportation Committee.

S 1245 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Cameron arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Pursuant to Senate Rule 39(H), Senator McKenzie disclosed a possible conflict of interest under applicable law.

Roll call resulted as follows:

AYES—Bair, Bayer, Bock, Brackett, Buckner-Webb, Cameron, Davis, Fulcher, Guthrie, Hagedorn, Heider, Hill, Johnson, Keough, Lacey, Lakey, Lodge, Martin, McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Pearce, Rice, Schmidt, Siddoway, Stennett, Thayn, Tippets, Vick, Ward-Engelking, Werk, Winder. Total - 34.

NAYS—None.

Absent and excused—Goedde. Total - 1.

Total - 35.

Whereupon the President Pro Tempore declared S 1245 passed, title was approved, and the bill ordered transmitted to the House.

S 1220 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Lacey arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Bair, Bayer, Bock, Brackett, Buckner-Webb, Cameron, Davis, Fulcher, Guthrie, Hagedorn, Heider, Hill, Johnson, Keough, Lacey, Lakey, Lodge, Martin, McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Pearce, Rice, Schmidt, Siddoway, Stennett, Thayn, Tippets, Vick, Ward-Engelking, Werk, Winder. Total - 34.

NAYS—None.

Absent and excused—Goedde. Total - 1.

Total - 35.

Whereupon the President Pro Tempore declared S 1220 passed, title was approved, and the bill ordered transmitted to the House.

S 1214 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Lakey arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Bair, Bayer, Bock, Brackett, Buckner-Webb, Cameron, Davis, Fulcher, Guthrie, Hagedorn, Heider, Hill, Johnson, Keough, Lacey, Lakey, Lodge, Martin, McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Pearce, Rice, Schmidt, Siddoway, Stennett, Thayn, Tippetts, Vick, Ward-Engelking, Winder. Total - 33.

NAYS—None.

Absent and excused—Goedde, Werk. Total - 2.

Total - 35.

Whereupon the President Pro Tempore declared [S 1214](#) passed, title was approved, and the bill ordered transmitted to the House.

On request by Senator Davis, granted by unanimous consent, the Senate advanced to the Fifteenth Order of Business.

Miscellaneous Business

On motion by Senator Davis, seconded by Senator Stennett, by voice vote, the Senate adjourned at 12 noon until the hour of 11:15 a.m., Friday, January 31, 2014.

BRENT HILL, President Pro Tempore

Attest: JENNIFER NOVAK, Secretary

SENATE JOURNAL

OF THE

IDAHO LEGISLATURE

SECOND REGULAR SESSION
SIXTY-SECOND LEGISLATURE

TWENTY-SIXTH LEGISLATIVE DAY
FRIDAY, JANUARY 31, 2014

Senate Chamber

President Little called the Senate to order at 11:15 a.m.

Roll call showed all members present except Senator Goedde, absent and formally excused by the Chair; and Senators Bayer, Cameron, and Davis, absent and excused.

Prayer was offered by Chaplain Keith Buhler.

The Pledge of Allegiance was led by Hannah Utley, Page.

The Senate advanced to the Third Order of Business.

Reading and Correction of the Journal

The JUDICIARY AND RULES Committee reports that the Senate Journal of the proceedings of January 30, 2014, was read and approved as corrected.

LODGE, Chairman

There being no objection, the report was adopted and ordered filed in the office of the Secretary of the Senate.

On request by Senator Winder, granted by unanimous consent, the Senate advanced to the Sixth Order of Business.

Reports of Standing Committees

Senator Bayer was recorded present at this order of business.

January 31, 2014

The JUDICIARY AND RULES Committee reports that [S 1259](#), [S 1260](#), [S 1261](#), [S 1262](#), [S 1263](#), [S 1264](#), [S 1265](#), [S 1266](#), [S 1267](#), and [S 1268](#) have been correctly printed.

LODGE, Chairman

[S 1259](#) was referred to the Judiciary and Rules Committee.

[S 1260](#), [S 1261](#), [S 1262](#), and [S 1263](#) were referred to the Health and Welfare Committee.

[S 1264](#) was referred to the Education Committee.

[S 1265](#) was referred to the Local Government and Taxation Committee.

[S 1266](#), [S 1267](#), and [S 1268](#) were referred to the Agricultural Affairs Committee.

January 30, 2014

The COMMERCE AND HUMAN RESOURCES Committee reports it has had under consideration the Gubernatorial appointments listed below and the Committee recommends that said appointments be confirmed by the Senate:

David Self to the Idaho Health Insurance Exchange Board, term to expire April 10, 2017.

Hyatt Erstad to the Idaho Health Insurance Exchange Board, term to expire April 10, 2017.

Karen Vauk to the Idaho Health Insurance Exchange Board, term to expire April 10, 2017.

Kevin Settles to the Idaho Health Insurance Exchange Board, term to expire April 10, 2017.

Mark Estess to the Idaho Health Insurance Exchange Board, term to expire April 10, 2017.

Scott Kreiling to the Idaho Health Insurance Exchange Board, term to expire April 10, 2017.

TIPPETS, Chairman

The Gubernatorial appointments were referred to the Tenth Order of Business, Motions and Resolutions, and ordered held at the Secretary's desk for one legislative day.

January 30, 2014

The TRANSPORTATION Committee reports out [S 1227](#) with the recommendation that it do pass.

BRACKETT, Chairman

[S 1227](#) was filed for second reading.

January 30, 2014

The LOCAL GOVERNMENT AND TAXATION Committee reports out [H 374](#), [H 375](#), and [S 1239](#) with the recommendation that they do pass.

SIDDOWAY, Chairman

[H 374](#), [H 375](#), and [S 1239](#) were filed for second reading.

January 30, 2014

The LOCAL GOVERNMENT AND TAXATION Committee reports out [H 369](#) with the recommendation that it be referred to the Fourteenth Order of Business for amendment.

SIDDOWAY, Chairman

There being no objection, [H 369](#) was referred to the Fourteenth Order of Business, General Calendar.

On request by Senator Winder, granted by unanimous consent, the Senate advanced to the Eighth Order of Business.

Messages from the Governor

January 30, 2014

The Honorable Brad Little
President of the Senate
Idaho Legislature

Dear Mr. President:

I have the honor to inform you that Kathy Simpson of Idaho Falls, Idaho, was appointed as a member of the Judicial Council to serve a term commencing July 1, 2013, and expiring June 30, 2019.

This appointment was made subject to confirmation by the Senate. Notice of appointment is hereby given.

As Always - Idaho, *Esto Perpetua*
/s/ C.L. "Butch" Otter
Governor

The correspondence was ordered filed in the office of the Secretary of the Senate.

The Gubernatorial appointment was referred to the Judiciary and Rules Committee.

January 30, 2014

The Honorable Brad Little
President of the Senate
Idaho Legislature

Dear Mr. President:

I have the honor to inform you that Lee Gagner of Idaho Falls, Idaho, was reappointed as a member of the Idaho Transportation Board to serve a term commencing January 31, 2014, and expiring January 31, 2020.

This reappointment was made subject to confirmation by the Senate. Notice of reappointment is hereby given.

As Always - Idaho, *Esto Perpetua*
/s/ C.L. "Butch" Otter
Governor

The correspondence was ordered filed in the office of the Secretary of the Senate.

The Gubernatorial reappointment was referred to the Transportation Committee.

Senator Davis was recorded present at this order of business.

The Senate advanced to the Ninth Order of Business.

Messages from the House

January 30, 2014

Dear Mr. President:

I transmit herewith [H 397](#), [H 348](#), [H 349](#), [H 350](#), [H 361](#), [H 362](#), and [H 385](#), which have passed the House.

ALEXANDER, Chief Clerk

[H 397](#), [H 348](#), [H 349](#), [H 350](#), [H 361](#), [H 362](#), and [H 385](#) were filed for first reading.

January 30, 2014

Dear Mr. President:

I return herewith [SCR 132](#), [S 1216](#), [S 1217](#), and [S 1218](#), which have passed the House.

ALEXANDER, Chief Clerk

[SCR 132](#), [S 1216](#), [S 1217](#), and [S 1218](#) were referred to the Judiciary and Rules Committee for enrolling.

Senator Cameron was recorded present at this order of business.

On request by Senator Winder, granted by unanimous consent, the Senate advanced to the Eleventh Order of Business.

Introduction, First Reading, and Reference of Bills, House Petitions, Resolutions, and Memorials

S 1269

BY COMMERCE AND HUMAN RESOURCES COMMITTEE

AN ACT

RELATING TO INSURANCE; AMENDING SECTION 41-3608, IDAHO CODE, TO PROVIDE THAT THE ASSOCIATION MAY PROVIDE CLAIMS HANDLING SERVICES TO RUN-OFF INSURERS.

S 1270

BY STATE AFFAIRS COMMITTEE

AN ACT

RELATING TO VETERANS HOMES; AMENDING SECTION 66-901, IDAHO CODE, TO PROVIDE THAT ANY PARENT WHOSE CHILD DIED WHILE SERVING IN THE ARMED FORCES SHALL BE ELIGIBLE FOR ADMISSION TO IDAHO STATE VETERANS HOMES AND TO MAKE A TECHNICAL CORRECTION.

S 1271

BY STATE AFFAIRS COMMITTEE

AN ACT

RELATING TO STATE SYMBOLS; AMENDING CHAPTER 45, TITLE 67, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 67-4513, IDAHO CODE, TO PROVIDE THAT THE IDAHO GIANT SALAMANDER IS DESIGNATED AND DECLARED TO BE THE STATE AMPHIBIAN OF THE STATE OF IDAHO.

S 1272

BY STATE AFFAIRS COMMITTEE

AN ACT

RELATING TO LEGISLATIVE COUNCIL; AMENDING SECTION 67-427, IDAHO CODE, TO PROVIDE THAT LEGISLATIVE COUNCIL SHALL MEET AT LEAST TWO TIMES A YEAR OR AS MAY BE NECESSARY, TO PROVIDE THAT MEMBERS OF THE COUNCIL SHALL HOLD OFFICE FOR TWO YEARS AND TO ESTABLISH PROVISIONS RELATING TO FILLING VACANCIES; AND AMENDING SECTION 67-428, IDAHO CODE, TO REVISE PROVISIONS RELATING TO OFFICERS OF THE COUNCIL AND TO PROVIDE THAT THE COUNCIL MAY ADOPT ITS OWN RULES AND APPOINT CERTAIN COMMITTEES.

S 1273

BY STATE AFFAIRS COMMITTEE

AN ACT

RELATING TO WORKER'S COMPENSATION; AMENDING SECTION 72-438, IDAHO CODE, TO PROVIDE THAT COMPENSATION SHALL BE PAYABLE FOR DISABILITY OR DEATH RESULTING FROM CERTAIN FIREFIGHTER OCCUPATIONAL DISEASES, TO DEFINE A TERM, TO PROVIDE A REBUTTABLE PRESUMPTION OF PROXIMATE CAUSATION BETWEEN SPECIFIED DISEASES AND EMPLOYMENT AS A FIREFIGHTER, TO PROVIDE FOR REBUTAL OF THE PRESUMPTION, TO PROVIDE FOR THE DEMONSTRATION OF CAUSAL CONNECTION, TO PROVIDE THAT THE PRESUMPTION

SHALL NOT APPLY UNDER CERTAIN CIRCUMSTANCES AND TO MAKE TECHNICAL CORRECTIONS.

[S 1269](#), [S 1270](#), [S 1271](#), [S 1272](#), and [S 1273](#) were introduced, read the first time at length, and referred to the Judiciary and Rules Committee for printing.

[H 397](#), by Commerce and Human Resources Committee, was introduced, read the first time at length, and referred to the Commerce and Human Resources Committee.

[H 348](#), [H 349](#), and [H 350](#), by Health and Welfare Committee, were introduced, read the first time at length, and referred to the Health and Welfare Committee.

[H 361](#), [H 362](#), and [H 385](#), by Education Committee, were introduced, read the first time at length, and referred to the Education Committee.

The Senate advanced to the Twelfth Order of Business.

Second Reading of Bills

[H 407](#), by Appropriations Committee, was read the second time at length and filed for third reading.

[S 1235](#), [S 1236](#), [S 1237](#), and [S 1238](#), by Local Government and Taxation Committee, were read the second time at length and filed for third reading.

The Senate advanced to the Thirteenth Order of Business.

Third Reading of Bills

[S 1215](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Lakey arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Bair, Bayer, Bock, Brackett, Buckner-Webb, Cameron, Davis, Fulcher, Guthrie, Hagedorn, Heider, Hill, Johnson, Keough, Lacey, Lakey, Lodge, Martin, McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Pearce, Rice, Schmidt, Siddoway, Stennett, Thayn, Tippets, Vick, Ward-Engelking, Werk, Winder. Total - 34.

NAYS—None.

Absent and excused—Goedde. Total - 1.

Total - 35.

Whereupon the President declared [S 1215](#) passed, title was approved, and the bill ordered transmitted to the House.

On request by Senator Schmidt, granted by unanimous consent, [S 1222](#) was recommitted to the Health and Welfare Committee.

[H 386](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Johnson arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Bair, Bayer, Bock, Brackett, Buckner-Webb, Cameron, Davis, Fulcher, Guthrie, Hagedorn, Heider, Hill, Johnson, Keough, Lacey, Lakey, Lodge, Martin, McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Pearce, Rice, Schmidt, Siddoway, Stennett, Thayn, Tippets, Vick, Ward-Engelking, Werk, Winder. Total - 34.

NAYS—None.

Absent and excused—Goedde. Total - 1.

Total - 35.

Whereupon the President declared [H 386](#) passed, title was approved, and the bill ordered returned to the House.

[H 387](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Nuxoll arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Bair, Bayer, Bock, Brackett, Buckner-Webb, Cameron, Davis, Fulcher, Guthrie, Hagedorn, Heider, Hill, Johnson, Keough, Lacey, Lakey, Lodge, Martin, McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Pearce, Rice, Schmidt, Siddoway, Stennett, Thayn, Tippets, Vick, Ward-Engelking, Werk, Winder. Total - 34.

NAYS—None.

Absent and excused—Goedde. Total - 1.

Total - 35.

Whereupon the President declared [H 387](#) passed, title was approved, and the bill ordered returned to the House.

[H 388](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Schmidt arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Bair, Bayer, Bock, Brackett, Buckner-Webb, Cameron, Davis, Fulcher, Guthrie, Hagedorn, Heider, Hill, Johnson, Keough, Lacey, Lakey, Lodge, Martin, McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Pearce, Rice, Schmidt, Siddoway, Stennett, Thayn, Tippets, Vick, Ward-Engelking, Werk, Winder. Total - 34.

NAYS—None.

Absent and excused—Goedde. Total - 1.

Total - 35.

Whereupon the President declared [H 388](#) passed, title was approved, and the bill ordered returned to the House.

On request by Senator Winder, granted by unanimous consent, [S 1223](#) and [S 1224](#) retained their place on the Third Reading Calendar for Monday, February 3, 2014.

On request by Senator Winder, granted by unanimous consent, the Senate advanced to the Fifteenth Order of Business.

Miscellaneous Business

On motion by Senator Winder, seconded by Senator Stennett, by voice vote, the Senate adjourned at 11:50 a.m. until the hour of 11 a.m., Monday, February 3, 2014.

BRAD LITTLE, President

Attest: JENNIFER NOVAK, Secretary

SENATE JOURNAL

OF THE

IDAHO LEGISLATURE

SECOND REGULAR SESSION
SIXTY-SECOND LEGISLATURE

—————
TWENTY-NINTH LEGISLATIVE DAY
MONDAY, FEBRUARY 3, 2014

Senate Chamber

President Pro Tempore Hill called the Senate to order at 11 a.m.

Roll call showed all members present except Senator Siddoway, absent and formally excused by the Chair; and Senator Lodge, absent and excused.

Prayer was offered by Chaplain Keith Buhler.

The Pledge of Allegiance was led by Kortni Wells, Page.

The Senate advanced to the Third Order of Business.

Reading and Correction of the Journal

The JUDICIARY AND RULES Committee reports that the Senate Journal of the proceedings of January 31, 2014, was read and approved as corrected.

LODGE, Chairman

There being no objection, the report was adopted and ordered filed in the office of the Secretary of the Senate.

On request by Senator Davis, granted by unanimous consent, the Senate advanced to the Tenth Order of Business.

Motions and Resolutions

Senator Lodge was recorded present at this order of business.

Moved by Senator Davis, seconded by Senator Stennett that Senate Rule 46(A) be suspended for the remainder of this legislative day. The question being, "Shall the rule be suspended?"

Roll call resulted as follows:

AYES—Bair, Bayer, Bock, Brackett, Buckner-Webb, Cameron, Davis, Fulcher, Goedde, Guthrie, Hagedorn, Heider, Hill, Johnson, Keough, Lacey, Lakey, Lodge, Martin, McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Pearce, Rice, Schmidt, Stennett, Thayne, Tippetts, Vick, Ward-Engelking, Werk, Winder.
Total - 34.

NAYS—None.

Absent and excused—Siddoway. Total - 1.

Total - 35.

More than two-thirds having voted in the affirmative, the President Pro Tempore declared the rule suspended and instructed the Sergeant-at-Arms to escort the visitor from the Chamber.

On request by Senator Davis, granted by unanimous consent, the Senate returned to the Sixth Order of Business.

Reports of Standing Committees

January 31, 2014

The JUDICIARY AND RULES Committee reports that [S 1269](#), [S 1270](#), [S 1271](#), [S 1272](#), and [S 1273](#) have been correctly printed.

LODGE, Chairman

[S 1269](#) and [S 1273](#) were referred to the Commerce and Human Resources Committee.

[S 1270](#), [S 1271](#), and [S 1272](#) were referred to the State Affairs Committee.

January 31, 2014

The JUDICIARY AND RULES Committee reports that [SCR 132](#), [S 1216](#), [S 1217](#), and [S 1218](#) have been correctly enrolled.

LODGE, Chairman

The President Pro Tempore signed Enrolled [SCR 132](#), [S 1216](#), [S 1217](#), and [S 1218](#) and ordered them transmitted to the House for the signature of the Speaker.

January 31, 2014

The JUDICIARY AND RULES Committee reports out [S 1240](#) with the recommendation that it be referred to the Fourteenth Order of Business for amendment.

LODGE, Chairman

There being no objection, [S 1240](#) was referred to the Fourteenth Order of Business, General Calendar.

On request by Senator Davis, granted by unanimous consent, the Senate advanced to the Ninth Order of Business.

Messages from the House

January 31, 2014

Dear Mr. President:

I transmit herewith [H 406](#), which has passed the House.

ALEXANDER, Chief Clerk

[H 406](#) was filed for first reading.

January 31, 2014

Dear Mr. President:

I return herewith Enrolled [S 1210](#), which has been signed by the Speaker.

ALEXANDER, Chief Clerk

Enrolled [S 1210](#) was referred to the Judiciary and Rules Committee for transmittal to the Office of the Governor.

The Senate advanced to the Tenth Order of Business.

Motions and Resolutions

The President Pro Tempore announced that the Commerce and Human Resources Committee report relative to the Gubernatorial appointment of Tom Shores was before the Senate for final consideration, the question being, "Shall the report be adopted?"

On motion by Senator Goedde, seconded by Senator Schmidt, the Gubernatorial appointment of Tom Shores as a member of the Idaho Health Insurance Exchange Board was confirmed by voice vote.

The President Pro Tempore declared the report adopted and directed the Secretary of the Senate to prepare a letter of the Gubernatorial appointment confirmation for his signature, attested to by the Secretary, to be transmitted to the Governor informing him of the action of the Senate.

The President Pro Tempore announced that the Commerce and Human Resources Committee report relative to the Gubernatorial appointment of David Self was before the Senate for final consideration, the question being, "Shall the report be adopted?"

On motion by Senator Lodge, seconded by Senator Schmidt, the Gubernatorial appointment of David Self as a member of the Idaho Health Insurance Exchange Board was confirmed by voice vote.

The President Pro Tempore declared the report adopted and directed the Secretary of the Senate to prepare a letter of the Gubernatorial appointment confirmation for his signature, attested to by the Secretary, to be transmitted to the Governor informing him of the action of the Senate.

The President Pro Tempore announced that the Commerce and Human Resources Committee report relative to the Gubernatorial appointment of Hyatt Erstad was before the Senate for final consideration, the question being, "Shall the report be adopted?"

On motion by Senator Cameron, seconded by Senator Stennett, the Gubernatorial appointment of Hyatt Erstad as a member of the Idaho Health Insurance Exchange Board was confirmed by voice vote.

The President Pro Tempore declared the report adopted and directed the Secretary of the Senate to prepare a letter of the Gubernatorial appointment confirmation for his signature, attested to by the Secretary, to be transmitted to the Governor informing him of the action of the Senate.

The President Pro Tempore announced that the Commerce and Human Resources Committee report relative to the Gubernatorial appointment of Karen Vauk was before the Senate for final consideration, the question being, "Shall the report be adopted?"

On motion by Senator Ward-Engelking, seconded by Senator Martin, the Gubernatorial appointment of Karen Vauk as a member of the Idaho Health Insurance Exchange Board was confirmed by voice vote.

The President Pro Tempore declared the report adopted and directed the Secretary of the Senate to prepare a letter of the Gubernatorial appointment confirmation for his signature, attested to by the Secretary, to be transmitted to the Governor informing him of the action of the Senate.

The President Pro Tempore announced that the Commerce and Human Resources Committee report relative to the Gubernatorial appointment of Kevin Settles was before the Senate for final consideration, the question being, "Shall the report be adopted?"

On motion by Senator Patrick, seconded by Senator Stennett, the Gubernatorial appointment of Kevin Settles as a member of the Idaho Health Insurance Exchange Board was confirmed by voice vote.

The President Pro Tempore declared the report adopted and directed the Secretary of the Senate to prepare a letter of the Gubernatorial appointment confirmation for his signature, attested to by the Secretary, to be transmitted to the Governor informing him of the action of the Senate.

The President Pro Tempore announced that the Commerce and Human Resources Committee report relative to the Gubernatorial appointment of Mark Estess was before the Senate for final consideration, the question being, "Shall the report be adopted?"

On motion by Senator Guthrie, seconded by Senator Schmidt, the Gubernatorial appointment of Mark Estess as a member of the Idaho Health Insurance Exchange Board was confirmed by voice vote.

The President Pro Tempore declared the report adopted and directed the Secretary of the Senate to prepare a letter of the Gubernatorial appointment confirmation for his signature, attested to by the Secretary, to be transmitted to the Governor informing him of the action of the Senate.

The President Pro Tempore announced that the Commerce and Human Resources Committee report relative to the Gubernatorial appointment of Scott Kreiling was before the Senate for final consideration, the question being, "Shall the report be adopted?"

On motion by Senator Ward-Engelking, seconded by Senator Schmidt, the Gubernatorial appointment of Scott Kreiling as a member of the Idaho Health Insurance Exchange Board was confirmed by voice vote.

The President Pro Tempore declared the report adopted and directed the Secretary of the Senate to prepare a letter of the Gubernatorial appointment confirmation for his signature, attested to by the Secretary, to be transmitted to the Governor informing him of the action of the Senate.

The Senate advanced to the Eleventh Order of Business.

Introduction, First Reading, and Reference of Bills, House Petitions, Resolutions, and Memorials

[H 406](#), by Environment, Energy, and Technology Committee, was introduced, read the first time at length, and referred to the Resources and Environment Committee.

The Senate advanced to the Twelfth Order of Business.

Second Reading of Bills

[S 1227](#), by Transportation Committee, was read the second time at length and filed for third reading.

[H 374](#) and [H 375](#), by Revenue and Taxation Committee, were read the second time at length and filed for third reading.

[S 1239](#), by Local Government and Taxation Committee, was read the second time at length and filed for third reading.

The Senate advanced to the Thirteenth Order of Business.

Third Reading of Bills

[S 1223](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Nuxoll arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Pursuant to Senate Rule 39(H), Senator Nuxoll disclosed a possible conflict of interest under applicable law.

On request by Senator Nuxoll, granted by unanimous consent, [S 1223](#) was recommitted to the Health and Welfare Committee.

On request by Senator Lakey, granted by unanimous consent, [S 1224](#) retained its place on the Third Reading Calendar for one legislative day.

[H 407](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Bayer arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Bair, Bayer, Bock, Brackett, Buckner-Webb, Cameron, Davis, Fulcher, Goedde, Guthrie, Hagedorn, Heider, Hill, Johnson, Keough, Lacey, Lakey, Lodge, Martin, McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Pearce, Rice, Schmidt, Stennett, Thayne, Tippets, Vick, Ward-Engelking, Werk, Winder. Total - 34.

NAYS—None.

Absent and excused—Siddoway. Total - 1.

Total - 35.

Whereupon the President Pro Tempore declared [H 407](#) passed, title was approved, and the bill ordered returned to the House.

[S 1235](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Lakey arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Bair, Bayer, Bock, Brackett, Buckner-Webb, Cameron, Davis, Fulcher, Goedde, Guthrie, Hagedorn, Heider, Hill, Johnson, Keough, Lacey, Lakey, Lodge, Martin, McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Pearce, Rice, Schmidt, Stennett, Thayne, Tippets, Vick, Ward-Engelking, Werk, Winder. Total - 34.

NAYS—None.

Absent and excused—Siddoway. Total - 1.

Total - 35.

Whereupon the President Pro Tempore declared [S 1235](#) passed, title was approved, and the bill ordered transmitted to the House.

[S 1236](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Werk arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Bair, Bayer, Bock, Brackett, Buckner-Webb, Cameron, Davis, Fulcher, Goedde, Guthrie, Hagedorn, Heider, Hill, Johnson, Keough, Lacey, Lakey, Lodge, Martin, McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Pearce, Rice, Schmidt, Stennett, Thayne, Tippets, Vick, Ward-Engelking, Werk, Winder. Total - 34.

NAYS—None.

Absent and excused—Siddoway. Total - 1.

Total - 35.

Whereupon the President Pro Tempore declared [S 1236](#) passed, title was approved, and the bill ordered transmitted to the House.

[S 1237](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator McKenzie arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Bair, Bayer, Bock, Brackett, Buckner-Webb, Cameron, Davis, Fulcher, Goedde, Guthrie, Hagedorn, Heider, Hill, Johnson, Keough, Lacey, Lakey, Lodge, Martin, McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Pearce, Rice, Schmidt, Stennett, Thayne, Tippets, Vick, Ward-Engelking, Werk, Winder. Total - 34.

NAYS—None.

Absent and excused—Siddoway. Total - 1.

Total - 35.

Whereupon the President Pro Tempore declared [S 1237](#) passed, title was approved, and the bill ordered transmitted to the House.

On request by Senator Davis, granted by unanimous consent, the Senate advanced to the Fifteenth Order of Business.

Miscellaneous Business

On motion by Senator Davis, seconded by Senator Stennett, by voice vote, the Senate adjourned at 12:05 p.m. until the hour of 11 a.m., Tuesday, February 4, 2014.

BRENT HILL, President Pro Tempore

Attest: JENNIFER NOVAK, Secretary

SENATE JOURNAL

OF THE

IDAHO LEGISLATURE

SECOND REGULAR SESSION
SIXTY-SECOND LEGISLATURE

THIRTIETH LEGISLATIVE DAY
TUESDAY, FEBRUARY 4, 2014

Senate Chamber

President Pro Tempore Hill called the Senate to order at 11 a.m.

Roll call showed all members present except Senators Brackett, Davis, Goedde, and Keough, absent and excused.

Prayer was offered by Chaplain Keith Buhler.

The Pledge of Allegiance was led by Samantha Clay, Page.

The Senate advanced to the Third Order of Business.

Reading and Correction of the Journal

The JUDICIARY AND RULES Committee reports that the Senate Journal of the proceedings of February 3, 2014, was read and approved as corrected.

LODGE, Chairman

There being no objection, the report was adopted and ordered filed in the office of the Secretary of the Senate.

On request by Senator Winder, granted by unanimous consent, the Senate advanced to the Fifth Order of Business.

Petitions, Resolutions, and Memorials

SJM 105

BY HEALTH AND WELFARE COMMITTEE

A JOINT MEMORIAL

TO THE PRESIDENT OF THE UNITED STATES, TO THE SENATE AND HOUSE OF REPRESENTATIVES OF THE UNITED STATES IN CONGRESS ASSEMBLED, TO THE CONGRESSIONAL DELEGATION REPRESENTING THE STATE OF IDAHO IN THE CONGRESS OF THE UNITED STATES, TO THE SECRETARY OF THE UNITED STATES DEPARTMENT OF AGRICULTURE AND THE SECRETARY OF THE UNITED STATES DEPARTMENT OF HEALTH AND HUMAN SERVICES.

We, your Memorialists, the Senate and the House of Representatives of the State of Idaho assembled in the Second Regular Session of the Sixty-second Idaho Legislature, do hereby respectfully represent that:

WHEREAS, the Supplemental Nutritional Assistance Program (SNAP) is administered by the states on behalf of the United States Department of Agriculture, and the states are subject to the rules promulgated by the United States Department of Agriculture and Congress; and

WHEREAS, the health and welfare of the citizens of Idaho can be affected by their consumption of food items purchased with SNAP benefits; and

WHEREAS, a comprehensive healthy Supplemental Nutritional Assistance Program (SNAP) for Idaho citizens would include, and should emphasize, consumption of healthy Idaho grown and produced products; and

WHEREAS, individuals who participate in healthy eating choices have less chance of developing chronic diseases and therefore, are able to be more productive employees, citizens and more involved in their families' lives; and

WHEREAS, our children's futures and consequently the future of our nation are directly impacted by the food choices that are made for our children; and

WHEREAS, a healthy diet can consist of all food items, provided there is appropriate education and emphasis given to healthier food options to include proteins, grains, dairy and fruits and vegetables; and

WHEREAS, taxpayers have a right to expect that, whenever possible, decisions regarding the use of their tax dollars will be made at the state and local level; and

WHEREAS, if there is more state and local authority over foods authorized to be purchased with SNAP funds, Idaho can potentially improve the health of SNAP recipients, promote Idaho grown agricultural products and reduce the states' expenses for health care costs; and

WHEREAS, citizens may benefit from education to enable them to make healthier and more cost-effective decisions about purchasing food and having local control over foods authorized to be purchased with SNAP funds would give state-based producers an opportunity to educate citizens about the benefits of consuming their products.

NOW, THEREFORE, BE IT RESOLVED by the members of the Second Regular Session of the Sixty-second Idaho Legislature, the Senate and the House of Representatives concurring therein, that the Legislature calls upon the President of the United States, the Secretary of Agriculture and Congress to give Idaho the flexibility to have control over foods authorized for purchase with Supplemental Nutritional Assistance Program (SNAP) benefits and to encourage healthy eating and lifestyle choices.

BE IT FURTHER RESOLVED that Idaho should be given the flexibility to determine the best methods of helping our citizens create a comprehensive state-based approach to promote physical activity, nutritional food selections, including a focus on Idaho grown agricultural products, and healthy lifestyle choices.

BE IT FURTHER RESOLVED that the Secretary of the Senate be, and she is hereby authorized and directed to forward a copy of this Memorial to the President of the United States, to the President of the Senate and the Speaker of the House of Representatives of Congress, to the congressional delegation representing the State of Idaho in the Congress of the United States, to the Secretary of the United States Department of Agriculture and the Secretary of the United States Department of Health and Human Services.

SJM 105 was introduced, read at length, and referred to the Judiciary and Rules Committee for printing.

The Senate advanced to the Sixth Order of Business.

Reports of Standing Committees

Senator Keough was recorded present at this order of business.

February 3, 2014

The JUDICIARY AND RULES Committee reports that Enrolled [S 1210](#) was delivered to the Office of the Governor at 11:29 a.m., February 3, 2014.

LODGE, Chairman

The report was ordered filed in the office of the Secretary of the Senate.

February 3, 2014

The JUDICIARY AND RULES Committee reports out [S 1246](#), [S 1248](#), and [S 1249](#) with the recommendation that they do pass.

LODGE, Chairman

[S 1246](#), [S 1248](#), and [S 1249](#) were filed for second reading.

February 3, 2014

The JUDICIARY AND RULES Committee reports out [S 1247](#) with the recommendation that it be referred to the Fourteenth Order of Business for amendment.

LODGE, Chairman

There being no objection, [S 1247](#) was referred to the Fourteenth Order of Business, General Calendar.

February 3, 2014

The HEALTH AND WELFARE Committee reports out [S 1226](#), [S 1261](#), and [S 1262](#) with the recommendation that they do pass.

HEIDER, Chairman

[S 1226](#), [S 1261](#), and [S 1262](#) were filed for second reading.

February 3, 2014

The EDUCATION Committee reports out [S 1228](#) with the recommendation that it do pass.

GOEDDE, Chairman

[S 1228](#) was filed for second reading.

Senator Goedde was recorded present at this order of business.

On request by Senator Winder, granted by unanimous consent, the Senate advanced to the Eighth Order of Business.

Messages from the Governor

February 3, 2014

The Honorable Brad Little
President of the Senate
Idaho Legislature

Dear Mr. President:

I have the honor to inform you that Gary Glenn Michael of Boise, Idaho, was appointed as a member of the Idaho Lottery Commission to serve a term commencing October 2, 2013, and expiring January 1, 2017.

This appointment was made subject to confirmation by the Senate. Notice of appointment is hereby given.

As Always - Idaho, *Esto Perpetua*
/s/ C.L. "Butch" Otter
Governor

The correspondence was ordered filed in the office of the Secretary of the Senate.

The Gubernatorial appointment was referred to the State Affairs Committee.

February 3, 2014

The Honorable Brad Little
President of the Senate
Idaho Legislature

Dear Mr. President:

I have the honor to inform you that Susan D. Kerrick of Lewiston, Idaho, was appointed as a member of the Idaho Lottery Commission to serve a term commencing January 3, 2014, and expiring January 1, 2019.

This appointment was made subject to confirmation by the Senate. Notice of appointment is hereby given.

As Always - Idaho, *Esto Perpetua*
/s/ C.L. "Butch" Otter
Governor

The correspondence was ordered filed in the office of the Secretary of the Senate.

The Gubernatorial appointment was referred to the State Affairs Committee.

The Senate advanced to the Ninth Order of Business.

Messages from the House

February 3, 2014

Dear Mr. President:

I transmit herewith [H 354](#), [H 355](#), [H 356](#), and [H 408](#), which have passed the House.

ALEXANDER, Chief Clerk

[H 354](#), [H 355](#), [H 356](#), and [H 408](#) were filed for first reading.

On request by Senator Winder, granted by unanimous consent, the Senate advanced to the Eleventh Order of Business.

Introduction, First Reading, and Reference of Bills, House Petitions, Resolutions, and Memorials

S 1274

BY JUDICIARY AND RULES COMMITTEE

AN ACT

RELATING TO BOATING; REPEALING SECTION 67-7016, IDAHO CODE, RELATING TO GROSSLY NEGLIGENT OPERATION; AMENDING CHAPTER 70, TITLE 67, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 67-7016, IDAHO CODE, TO PROVIDE FOR GROSSLY NEGLIGENT OPERATION, TO PROVIDE FOR VIOLATIONS AND PENALTIES, TO PROVIDE FOR NEGLIGENT OPERATION AND TO PROVIDE FOR VIOLATIONS AND PENALTIES; REPEALING SECTION 67-7017, IDAHO CODE, RELATING TO NEGLIGENT OPERATION; AMENDING SECTION 67-7033, IDAHO CODE, TO REMOVE SPECIFIED CODE REFERENCES FROM CERTAIN VIOLATION AND

PENALTY PROVISIONS; AND AMENDING SECTION 67-7077, IDAHO CODE, TO REVISE A CODE REFERENCE AND TO MAKE TECHNICAL CORRECTIONS.

S 1275

BY EDUCATION COMMITTEE

AN ACT

RELATING TO AGRICULTURAL AND NATURAL RESOURCE EDUCATION PROGRAMS; AMENDING CHAPTER 16, TITLE 33, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 33-1629, IDAHO CODE, TO ESTABLISH PROVISIONS RELATING TO IDAHO QUALITY PROGRAM STANDARDS INCENTIVE GRANTS, TO ESTABLISH THE QUALITY PROGRAM STANDARDS INCENTIVE GRANT FUND, TO ESTABLISH PROVISIONS RELATING TO A REQUEST FOR FUNDING, TO PROVIDE FOR RULES, TO ESTABLISH PROVISIONS RELATING TO A START-UP GRANT PROGRAM, TO ESTABLISH THE AGRICULTURAL AND NATURAL RESOURCE EDUCATION PROGRAM START-UP GRANT FUND, TO ESTABLISH PROVISIONS RELATING TO A REQUEST FOR FUNDING, TO PROVIDE FOR RULES AND TO PROVIDE FOR THE APPLICATION OF LAW.

S 1276

BY RESOURCES AND ENVIRONMENT COMMITTEE

AN ACT

RELATING TO FISH AND GAME; AMENDING SECTION 36-408, IDAHO CODE, TO REVISE THE DEFINITION OF "QUALIFIED ORGANIZATION" FOR THE PURPOSE OF ISSUANCE OF FREE BIG GAME PERMITS AND TAGS TO MILITARY VETERANS WITH DISABILITIES TO INCLUDE CERTAIN NONPROFIT ORGANIZATIONS THAT ARE QUALIFIED UNDER SECTION 501(c)(4) OF THE INTERNAL REVENUE CODE AND TO MAKE TECHNICAL CORRECTIONS.

S 1277

BY RESOURCES AND ENVIRONMENT COMMITTEE

AN ACT

RELATING TO THE EXCHANGE OF STATE LAND; AMENDING SECTION 58-138, IDAHO CODE, TO REMOVE CERTAIN PROVISIONS RELATING TO THE EXCHANGE OF STATE LANDS, TO PROVIDE AN EXCEPTION TO EXCHANGE PROVISIONS FOR CERTAIN LANDS, TO PROVIDE FOR THE EXCHANGE OF LANDS KNOWN AS "COTTAGE SITES," TO CLARIFY WHAT THE EXCHANGE OF STATE LANDS MEANS AND TO MAKE TECHNICAL CORRECTIONS.

S 1278

BY RESOURCES AND ENVIRONMENT COMMITTEE

AN ACT

RELATING TO FISH AND GAME; AMENDING SECTION 36-407, IDAHO CODE, TO REVISE NONRESIDENT DISABLED AMERICAN VETERAN LICENSE PROVISIONS TO ALLOW CERTAIN PERSONS TO HUNT, PURCHASE TAGS AND FISH PURSUANT TO SPECIFIED PROVISIONS, TO PROVIDE AN EXCEPTION RELATING TO FISHING, TO PROVIDE THAT CERTAIN NONRESIDENTS MAY BE ISSUED LICENSES TO FISH FOR THREE CONSECUTIVE DAYS EACH LICENSE YEAR PURSUANT TO SPECIFIED PROVISIONS, TO PROVIDE AN EXCEPTION RELATING TO FISHING AND TO MAKE TECHNICAL CORRECTIONS; AND AMENDING SECTION 36-416, IDAHO CODE,

TO REVISE FEE PROVISIONS; AND DECLARING AN EMERGENCY.

S 1279

BY RESOURCES AND ENVIRONMENT COMMITTEE

AN ACT

RELATING TO IRRIGATION DISTRICTS; AMENDING SECTION 43-318, IDAHO CODE, TO REVISE PROCEDURAL PROVISIONS RELATING TO THE SALE OF PERSONAL OR REAL PROPERTY OF AN IRRIGATION DISTRICT.

S 1280

BY RESOURCES AND ENVIRONMENT COMMITTEE

AN ACT

RELATING TO IRRIGATION DISTRICTS; AMENDING SECTION 43-209, IDAHO CODE, TO SPECIFY CONDITIONS FOR SERVICE OF A DIRECTOR, TO REQUIRE NOTICE TO OTHER DIRECTORS UNDER CERTAIN CIRCUMSTANCES, TO PROVIDE FOR THE DETERMINATION OF WHETHER A VACANCY HAS OCCURRED, TO PROVIDE A PROCEDURE UPON DETERMINATION THAT A VACANCY HAS OCCURRED, TO PROVIDE FOR TEMPORARY CONTINUATION OF SERVICE, TO PROVIDE A RESTRICTION ON CONTINUATION OF SERVICE, TO REVISE PROCEDURES RELATING TO THE FILLING OF A VACANCY AND TO PROVIDE THAT A PERSON FILLING A VACANCY SHALL POSSESS ALL RIGHTS AND POWER AND IS SUBJECT TO ALL LIABILITIES, DUTIES AND OBLIGATIONS OF THE OFFICE.

S 1281

BY RESOURCES AND ENVIRONMENT COMMITTEE

AN ACT

RELATING TO IRRIGATION DISTRICTS; AMENDING SECTION 43-116, IDAHO CODE, TO REVISE TERMINOLOGY, TO REVISE PROVISIONS RELATING TO SPECIFIED DUTIES OF THE BOARD OF DIRECTORS, TO REMOVE A PROVISION THAT CERTAIN OFFICERS MUST BE RESIDENTS OF THE DISTRICT AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 43-206, IDAHO CODE, TO REVISE TERMINOLOGY; AMENDING SECTION 43-209, IDAHO CODE, TO REVISE TERMINOLOGY; AMENDING SECTION 43-401, IDAHO CODE, TO REVISE TERMINOLOGY; AMENDING SECTION 43-602, IDAHO CODE, TO REVISE TERMINOLOGY AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 43-730, IDAHO CODE, TO REVISE TERMINOLOGY; AMENDING SECTION 43-1404, IDAHO CODE, TO REVISE TERMINOLOGY AND TO MAKE A TECHNICAL CORRECTION; AND AMENDING SECTION 43-2203, IDAHO CODE, TO REVISE TERMINOLOGY AND TO MAKE TECHNICAL CORRECTIONS.

[S 1274](#), [S 1275](#), [S 1276](#), [S 1277](#), [S 1278](#), [S 1279](#), [S 1280](#), and [S 1281](#) were introduced, read the first time at length, and referred to the Judiciary and Rules Committee for printing.

Senator Davis was recorded present at this order of business.

[H 354](#), [H 355](#), and [H 356](#), by Health and Welfare Committee, were introduced, read the first time at length, and referred to the Health and Welfare Committee.

[H 408](#), by Commerce and Human Resources Committee, was introduced, read the first time at length, and referred to the Commerce and Human Resources Committee.

On request by Senator Davis, granted by unanimous consent, the Senate advanced to the Thirteenth Order of Business.

Third Reading of Bills

On request by Senator Lakey, granted by unanimous consent, [S 1224](#) was referred to the Fourteenth Order of Business, General Calendar.

On request by Senator Davis, granted by unanimous consent, [H 375](#) retained its place on the Third Reading Calendar for one legislative day.

[S 1238](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Johnson arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Bair, Bayer, Bock, Buckner-Webb, Cameron, Davis, Fulcher, Goedde, Guthrie, Hagedorn, Heider, Hill, Johnson, Keough, Lacey, Lakey, Lodge, Martin, McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Pearce, Schmidt, Siddoway, Stennett, Thayn, Tippets, Ward-Engelking, Werk, Winder. Total - 32.

NAYS—Rice, Vick. Total - 2.

Absent and excused—Brackett. Total - 1.

Total - 35.

Whereupon the President Pro Tempore declared [S 1238](#) passed, title was approved, and the bill ordered transmitted to the House.

[S 1227](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Heider arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Bair, Bayer, Bock, Buckner-Webb, Cameron, Davis, Fulcher, Goedde, Guthrie, Hagedorn, Heider, Hill, Johnson, Keough, Lacey, Lakey, Lodge, Martin, Mortimer, Nonini, Patrick, Pearce, Rice, Siddoway, Stennett, Tippets, Vick, Ward-Engelking, Werk, Winder. Total - 30.

NAYS—McKenzie, Nuxoll, Schmidt, Thayn. Total - 4.

Absent and excused—Brackett. Total - 1.

Total - 35.

Whereupon the President Pro Tempore declared [S 1227](#) passed, title was approved, and the bill ordered transmitted to the House.

[H 374](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Bayer arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Bair, Bayer, Bock, Buckner-Webb, Cameron, Davis, Fulcher, Goedde, Guthrie, Hagedorn, Heider, Hill, Johnson, Keough, Lacey, Lakey, Lodge, Martin, McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Pearce, Rice, Schmidt, Siddoway, Stennett, Thayn, Tippets, Vick, Ward-Engelking, Werk, Winder. Total - 34.

NAYS—None.

Absent and excused—Brackett. Total - 1.

Total - 35.

Whereupon the President Pro Tempore declared [H 374](#) passed, title was approved, and the bill ordered returned to the House.

Senator Brackett was recorded present at this order of business.

[S 1239](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Lacey arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Bair, Bayer, Bock, Brackett, Buckner-Webb, Cameron, Davis, Fulcher, Goedde, Guthrie, Hagedorn, Heider, Hill, Johnson, Keough, Lacey, Lakey, Lodge, Martin, McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Pearce, Rice, Schmidt, Siddoway, Stennett, Thayn, Tippets, Vick, Ward-Engelking, Werk, Winder. Total - 35.

Whereupon the President Pro Tempore declared [S 1239](#) passed, title was approved, and the bill ordered transmitted to the House.

On request by Senator Davis, granted by unanimous consent, the Senate advanced to the Fifteenth Order of Business.

Miscellaneous Business

On motion by Senator Davis, seconded by Senator Stennett, by voice vote, the Senate adjourned at 11:55 a.m. until the hour of 11 a.m., Wednesday, February 5, 2014.

BRENT HILL, President Pro Tempore

Attest: JENNIFER NOVAK, Secretary

SENATE JOURNAL

OF THE

IDAHO LEGISLATURE

SECOND REGULAR SESSION
SIXTY-SECOND LEGISLATURE

THIRTY-FIRST LEGISLATIVE DAY
WEDNESDAY, FEBRUARY 5, 2014

Senate Chamber

President Little called the Senate to order at 11 a.m.

Roll call showed all members present except Senators Bock, Lodge, and Werk, absent and excused.

Prayer was offered by Chaplain Keith Buhler.

The Pledge of Allegiance was led by Hunter Markus, Page.

The Senate advanced to the Third Order of Business.

Reading and Correction of the Journal

The JUDICIARY AND RULES Committee reports that the Senate Journal of the proceedings of February 4, 2014, was read and approved as corrected.

LODGE, Chairman

There being no objection, the report was adopted and ordered filed in the office of the Secretary of the Senate.

On request by Senator Davis, granted by unanimous consent, the Senate advanced to the Fifth Order of Business.

Petitions, Resolutions, and Memorials

SCR 134

BY STATE AFFAIRS COMMITTEE

A CONCURRENT RESOLUTION

FOR THE PURPOSE OF REQUESTING APPROPRIATE ACTION BY THE CONGRESS, EITHER ACTING BY CONSENT OF TWO-THIRDS OF BOTH HOUSES OR, UPON THE APPLICATION OF THE LEGISLATURES OF TWO-THIRDS OF THE SEVERAL STATES, CALLING AN ARTICLE V CONVENTION TO PROPOSE AN AMENDMENT TO THE UNITED STATES CONSTITUTION TO REQUIRE, WITH CERTAIN EXCEPTIONS, THAT THE TOTAL OF ALL FEDERAL APPROPRIATIONS MAY NOT EXCEED THE TOTAL OF ALL ESTIMATED FEDERAL REVENUES IN ANY FISCAL YEAR TOGETHER WITH ANY RELATED AND APPROPRIATE FISCAL RESTRAINTS.

Be It Resolved by the Legislature of the State of Idaho:

WHEREAS, with each passing year this nation becomes more deeply in debt as its expenditures grossly and repeatedly exceed available revenues, so that the total debt now exceeds seventeen trillion dollars; and

WHEREAS, the annual federal budget continually demonstrates an unwillingness or inability of both the legislative

and executive branches of the federal government to curtail spending to conform to available revenues; and

WHEREAS, unified budgets do not reflect actual spending because of the exclusion of special outlays that are not included in the budget nor subject to the legal public debt limit; and

WHEREAS, knowledgeable planning, fiscal prudence and plain good sense require that the budget reflect all federal spending and be in balance; and

WHEREAS, believing that fiscal irresponsibility at the federal level, with the inflation that results from this policy, is the greatest threat that faces our nation, we firmly believe that constitutional restraint is necessary to bring the fiscal discipline needed to restore financial responsibility; and

WHEREAS, under Article V of the Constitution of the United States, amendments to the Constitution of the United States may be proposed by the Congress whenever two-thirds of both houses deem it necessary; or, on the application of the legislatures of two-thirds of the several states, the Congress shall call a Constitutional Convention for proposing amendments. We believe such action vital.

NOW, THEREFORE, BE IT RESOLVED by the members of the Second Regular Session of the Sixty-second Idaho Legislature, the Senate and the House of Representatives concurring therein, that pursuant to Article V of the Constitution of the United States, the Legislature of the State of Idaho petitions the Congress of the United States of America, at its session, to call a convention of the states limited to proposing an amendment to the Constitution of the United States requiring that, in the absence of a national emergency, the total of all federal appropriations made by the Congress for any fiscal year may not exceed the total of all estimated federal revenues for that fiscal year, together with any related and appropriate fiscal restraints.

BE IT FURTHER RESOLVED that this application is to be considered as covering the balanced budget amendment language of the presently outstanding balanced budget applications from other states, including, but not limited to, previously adopted applications from Alabama, Alaska, Arkansas, Colorado, Delaware, Florida, Indiana, Iowa, Kansas, Maryland, Mississippi, Missouri, Nebraska, Nevada, New Hampshire, New Mexico, North Carolina, Ohio, Pennsylvania, and Texas; and this application shall be aggregated with those applications for the purpose of attaining the two-thirds of states necessary to require the calling of a convention for proposing a balanced budget amendment, but shall not be aggregated with any applications on any other subject; and

BE IT FURTHER RESOLVED that this application constitutes a continuing application in accordance with Article V of the Constitution of the United States until the legislatures of at least two-thirds of the several states have made applications on the same subject. It supersedes all previous applications by this Legislature on the same subject; and

BE IT FURTHER RESOLVED that the Secretary of the Senate be, and she is hereby directed to forward copies of this resolution to the Secretary of State and presiding officers of both houses of the legislatures of each of the other states in the union, the Speaker of the United States House of Representatives, the President of the United States Senate, and the members of the Congress of the United States representing the State of Idaho.

SCR 134 was introduced, read at length, and referred to the Judiciary and Rules Committee for printing.

Senator Bock was recorded present at this order of business.

The Senate advanced to the Sixth Order of Business.

Reports of Standing Committees

February 4, 2014

The JUDICIARY AND RULES Committee reports that [SJM 105](#), [S 1274](#), [S 1275](#), [S 1276](#), [S 1277](#), [S 1278](#), [S 1279](#), [S 1280](#), and [S 1281](#) have been correctly printed.

LODGE, Chairman

[SJM 105](#) was referred to the Tenth Order of Business, Motions and Resolutions, and ordered held at the Secretary's desk for one legislative day.

[S 1274](#) was referred to the Judiciary and Rules Committee.

[S 1275](#) was referred to the Education Committee.

[S 1276](#), [S 1278](#), [S 1279](#), [S 1280](#), and [S 1281](#) were referred to the Resources and Environment Committee.

[S 1277](#) was referred to the State Affairs Committee.

Senator Werk was recorded present at this order of business.

February 4, 2014

The COMMERCE AND HUMAN RESOURCES Committee reports out [S 1204](#) and [S 1205](#) with the recommendation that they do pass.

TIPPETS, Chairman

[S 1204](#) and [S 1205](#) were filed for second reading.

February 4, 2014

The COMMERCE AND HUMAN RESOURCES Committee reports it has had under consideration the Gubernatorial appointment listed below and the Committee recommends that said appointment be confirmed by the Senate:

Zelda Geyer-Sylvia to the Idaho Health Insurance Exchange Board, term to expire April 10, 2017.

TIPPETS, Chairman

The Gubernatorial appointment was referred to the Tenth Order of Business, Motions and Resolutions, and ordered held at the Secretary's desk for one legislative day.

February 4, 2014

The EDUCATION Committee reports out [S 1229](#), [S 1257](#), and [S 1264](#) with the recommendation that they do pass.

GOEDDE, Chairman

[S 1229](#), [S 1257](#), and [S 1264](#) were filed for second reading.

On request by Senator Goedde, granted by unanimous consent, [S 1233](#) was referred to the Fourteenth Order of Business, General Calendar.

Senator Lodge was recorded present at this order of business.

On request by Senator Davis, granted by unanimous consent, the Senate advanced to the Eighth Order of Business.

Messages from the Governor

February 3, 2014

The Honorable Brad Little
President of the Senate
Idaho Legislature

Dear Mr. President:

I have the honor to inform you that Craig Hill of Priest Lake, Idaho, was reappointed as a member of the Lake Pend Oreille Basin Commission to serve a term commencing July 24, 2013, and expiring July 24, 2016.

This reappointment was made subject to confirmation by the Senate. Notice of reappointment is hereby given.

As Always - Idaho, *Esto Perpetua*
/s/ C.L. "Butch" Otter
Governor

The correspondence was ordered filed in the office of the Secretary of the Senate.

The Gubernatorial reappointment was referred to the Resources and Environment Committee.

The Senate advanced to the Ninth Order of Business.

Messages from the House

February 4, 2014

Dear Mr. President:

I transmit herewith [H 389](#), [H 390](#), [H 391](#), and [H 405](#), which have passed the House.

ALEXANDER, Chief Clerk

[H 389](#), [H 390](#), [H 391](#), and [H 405](#) were filed for first reading.

February 4, 2014

Dear Mr. President:

I return herewith [S 1245](#), which has passed the House.

ALEXANDER, Chief Clerk

[S 1245](#) was referred to the Judiciary and Rules Committee for enrolling.

February 4, 2014

Dear Mr. President:

I transmit herewith Enrolled [H 386](#), [H 387](#), and [H 388](#) for the signature of the President.

ALEXANDER, Chief Clerk

The President signed Enrolled [H 386](#), [H 387](#), and [H 388](#) and ordered them returned to the House.

February 4, 2014

Dear Mr. President:

I return herewith Enrolled [SCR 132](#), which has been signed by the Speaker.

ALEXANDER, Chief Clerk

Enrolled [SCR 132](#) was referred to the Judiciary and Rules Committee for transmittal to the Office of the Secretary of State.

February 4, 2014

Dear Mr. President:

I return herewith Enrolled [S 1216](#), [S 1217](#), and [S 1218](#), which have been signed by the Speaker.

ALEXANDER, Chief Clerk

Enrolled [S 1216](#), [S 1217](#), and [S 1218](#) were referred to the Judiciary and Rules Committee for transmittal to the Office of the Governor.

On request by Senator Davis, granted by unanimous consent, the Senate advanced to the Eleventh Order of Business.

**Introduction, First Reading, and Reference of Bills,
House Petitions, Resolutions, and Memorials**

**S 1282
BY COMMERCE AND HUMAN RESOURCES
COMMITTEE**

AN ACT

RELATING TO LEGAL RATE OF INTEREST; AMENDING SECTION 28-22-104, IDAHO CODE, TO ESTABLISH PROVISIONS RELATING TO THE CALCULATION OF PREJUDGMENT INTEREST.

**S 1283
BY TRANSPORTATION COMMITTEE**

AN ACT

RELATING TO RIGHTS-OF-WAY; AMENDING SECTION 40-203, IDAHO CODE, TO PROVIDE FOR THE ABANDONMENT OR VACATION OF ANY HIGHWAY, PUBLIC STREET OR PUBLIC RIGHT-OF-WAY THAT WAS ACCEPTED AS PART OF A PLATTED SUBDIVISION AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 50-1306A, IDAHO CODE, TO PROVIDE A CORRECT CODE REFERENCE; AND AMENDING SECTION 50-1317, IDAHO CODE, TO REMOVE REFERENCE TO PUBLIC RIGHTS-OF-WAY, TO PROVIDE A CORRECT CODE REFERENCE AND TO MAKE A TECHNICAL CORRECTION.

**S 1284
BY TRANSPORTATION COMMITTEE**

AN ACT

RELATING TO SPEED LIMITS ON INTERSTATE AND OTHER HIGHWAYS; AMENDING SECTION 49-654, IDAHO CODE, TO ALLOW AN INCREASED SPEED LIMIT ON HIGHWAYS IF CERTAIN CIRCUMSTANCES OCCUR; AMENDING SECTION 49-201, IDAHO CODE, TO ALLOW AN INCREASED SPEED LIMIT ON HIGHWAYS IF CERTAIN CIRCUMSTANCES OCCUR; AND AMENDING SECTION 49-207, IDAHO CODE, TO PROVIDE AN INCREASED SPEED LIMIT ON HIGHWAYS.

**S 1285
BY TRANSPORTATION COMMITTEE**

AN ACT

RELATING TO HIGHWAY DISTRICT COMMISSIONERS; AMENDING SECTION 40-1305, IDAHO CODE, TO REVISE TERMS OF OFFICE AND TO ESTABLISH PROVISIONS RELATING TO AN ALTERNATIVE ELECTION OF HIGHWAY COMMISSIONERS.

**S 1286
BY TRANSPORTATION COMMITTEE**

AN ACT

RELATING TO ALLOWABLE GROSS WEIGHTS; AMENDING SECTION 49-1001, IDAHO CODE, TO REVISE WEIGHTS THAT REFUSE/SANITATION TRUCKS TRANSPORTING REFUSE MAY BE OPERATED ON PUBLIC HIGHWAYS, TO DELETE REFERENCE TO AN ANNUAL OPERATING FEE FOR A PERMIT AND TO MAKE TECHNICAL CORRECTIONS.

**S 1287
BY EDUCATION COMMITTEE**

AN ACT

RELATING TO THE STATE BOARD OF EDUCATION; AMENDING SECTION 33-102, IDAHO CODE, TO REVISE A DATE, TO REVISE PROVISIONS RELATING TO TERMS OF OFFICE AND APPOINTMENTS, TO PROVIDE THAT MEMBERS SHALL ASSUME FULL POWERS AND DUTIES UPON APPOINTMENT, TO PROVIDE THAT APPOINTMENT SHALL BE SUBJECT TO CONFIRMATION BY THE SENATE.

**S 1288
BY HEALTH AND WELFARE COMMITTEE**

AN ACT

RELATING TO NURSES; AMENDING SECTION 54-1413, IDAHO CODE, TO REVISE A PROVISION RELATING TO DISCIPLINE AND TO PROVIDE THAT CERTAIN CONDUCT WITH A PATIENT MAY BE GROUNDS FOR DISCIPLINE; AND DECLARING AN EMERGENCY.

**S 1289
BY STATE AFFAIRS COMMITTEE**

AN ACT

RELATING TO AN APPLICATION OF THE STATE OF IDAHO UNDER ARTICLE V OF THE UNITED STATES CONSTITUTION FOR A CONVENTION FOR PROPOSING AMENDMENTS TO THE UNITED STATES CONSTITUTION; PROVIDING LEGISLATIVE INTENT; AMENDING TITLE 34, IDAHO CODE, BY THE ADDITION OF A NEW CHAPTER 16, TITLE 34, IDAHO CODE, TO DEFINE TERMS, TO PROVIDE FOR THE APPOINTMENT OF DELEGATES TO THE CONVENTION, TO PROVIDE FOR THE INSTRUCTION TO, SCOPE AND LIMITATION OF AUTHORITY OF, AND COMPENSATION OF SAID DELEGATES, TO PROVIDE DUTIES OF THE SECRETARY OF STATE AND TO PROVIDE A CITATION.

[S 1282](#), [S 1283](#), [S 1284](#), [S 1285](#), [S 1286](#), [S 1287](#), [S 1288](#), and [S 1289](#) were introduced, read the first time at length, and referred to the Judiciary and Rules Committee for printing.

[H 389](#), by Transportation and Defense Committee, was introduced, read the first time at length, and referred to the Transportation Committee.

[H 390](#), [H 391](#), and [H 405](#), by Environment, Energy, and Technology Committee, were introduced, read the first time at length, and referred to the Health and Welfare Committee.

The Senate advanced to the Twelfth Order of Business.

Second Reading of Bills

[S 1246](#), [S 1248](#), and [S 1249](#), by Judiciary and Rules Committee, were read the second time at length and filed for third reading.

[S 1226](#), [S 1261](#), and [S 1262](#), by Health and Welfare Committee, were read the second time at length and filed for third reading.

[S 1228](#), by Education Committee, was read the second time at length and filed for third reading.

The Senate advanced to the Thirteenth Order of Business.

Third Reading of Bills

[H 375](#) was read the third time at length, section by section, and placed before the Senate for final consideration. President Pro Tempore Hill arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Bair, Bayer, Brackett, Cameron, Davis, Fulcher, Goedde, Guthrie, Hagedorn, Heider, Hill, Johnson, Keough, Lacey, Lakey, Lodge, Martin, McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Pearce, Rice, Siddoway, Thayne, Tippetts, Vick, Winder. Total - 29.

NAYS—Bock, Buckner-Webb, Schmidt, Stennett, Ward-Engelking, Werk. Total - 6.

Total - 35.

Whereupon the President declared [H 375](#) passed, title was approved, and the bill ordered returned to the House.

On request by Senator Davis, granted by unanimous consent, the Senate advanced to the Fifteenth Order of Business.

Miscellaneous Business

On motion by Senator Davis, seconded by Senator Stennett, by voice vote, the Senate adjourned at 11:35 a.m. until the hour of 11 a.m., Thursday, February 6, 2014.

BRAD LITTLE, President

Attest: JENNIFER NOVAK, Secretary

SENATE JOURNAL

OF THE

IDAHO LEGISLATURE

SECOND REGULAR SESSION
SIXTY-SECOND LEGISLATURE

THIRTY-SECOND LEGISLATIVE DAY
THURSDAY, FEBRUARY 6, 2014

Senate Chamber

President Little called the Senate to order at 11 a.m.

Roll call showed all members present except Senator Davis, absent and formally excused by the Chair; and Senators Bayer, and Bock, absent and excused.

Prayer was offered by Chaplain Keith Buhler.

The Pledge of Allegiance was led by Allison McCarthy, Page.

The Senate advanced to the Third Order of Business.

Reading and Correction of the Journal

The JUDICIARY AND RULES Committee reports that the Senate Journal of the proceedings of February 5, 2014, was read and approved as corrected.

LODGE, Chairman

There being no objection, the report was adopted and ordered filed in the office of the Secretary of the Senate.

On request by Senator Winder, granted by unanimous consent, the Senate advanced to the Sixth Order of Business.

Reports of Standing Committees

February 6, 2014

The JUDICIARY AND RULES Committee reports that [SCR 134](#), [S 1282](#), [S 1283](#), [S 1284](#), [S 1285](#), [S 1286](#), [S 1287](#), [S 1288](#), and [S 1289](#) have been correctly printed.

LODGE, Chairman

On request by Senator McKenzie, granted by unanimous consent, [SCR 134](#) was referred to the State Affairs Committee.

[S 1282](#) was referred to the Commerce and Human Resources Committee.

[S 1283](#), [S 1284](#), [S 1285](#), and [S 1286](#) were referred to the Transportation Committee.

[S 1287](#) was referred to the Education Committee.

[S 1288](#) was referred to the Health and Welfare Committee.

[S 1289](#) was referred to the State Affairs Committee.

Senator Bayer was recorded present at this order of business.

February 5, 2014

The JUDICIARY AND RULES Committee reports that [S 1245](#) has been correctly enrolled.

LODGE, Chairman

The President signed Enrolled [S 1245](#) and ordered it transmitted to the House for the signature of the Speaker.

February 5, 2014

The JUDICIARY AND RULES Committee reports that Enrolled [SCR 132](#) was delivered to the Office of the Secretary of State at 1:40 p.m., February 5, 2014.

LODGE, Chairman

The report was ordered filed in the office of the Secretary of the Senate.

February 5, 2014

The JUDICIARY AND RULES Committee reports that Enrolled [S 1216](#), [S 1217](#), and [S 1218](#) were delivered to the Office of the Governor at 1:44 p.m., February 5, 2014.

LODGE, Chairman

The report was ordered filed in the office of the Secretary of the Senate.

February 5, 2014

The JUDICIARY AND RULES Committee reports out [S 1251](#) with the recommendation that it do pass.

LODGE, Chairman

[S 1251](#) was filed for second reading.

February 5, 2014

The HEALTH AND WELFARE Committee reports out [S 1225](#) with the recommendation that it do pass.

HEIDER, Chairman

[S 1225](#) was filed for second reading.

February 5, 2014

The EDUCATION Committee reports out [H 361](#), [H 362](#), and [H 385](#) with the recommendation that they do pass.

GOEDDE, Chairman

[H 361](#), [H 362](#), and [H 385](#) were filed for second reading.

February 6, 2014

The AGRICULTURAL AFFAIRS Committee reports out [S 1267](#) with the recommendation that it do pass.

BAIR, Chairman

[S 1267](#) was filed for second reading.

February 6, 2014

The LOCAL GOVERNMENT AND TAXATION Committee reports out [H 381](#) and [H 384](#) with the recommendation that they do pass.

SIDDOWAY, Chairman

[H 381](#) and [H 384](#) were filed for second reading.

February 6, 2014

The LOCAL GOVERNMENT AND TAXATION Committee reports it has had under consideration the Gubernatorial reappointment listed below and the Committee recommends that said reappointment be confirmed by the Senate:

Ken Roberts to the State Tax Commission, term to expire April 1, 2019.

SIDDOWAY, Chairman

The Gubernatorial reappointment was referred to the Tenth Order of Business, Motions and Resolutions, and ordered held at the Secretary's desk for one legislative day.

On request by Senator Winder, granted by unanimous consent, the Senate advanced to the Eighth Order of Business.

Messages from the Governor

February 5, 2014

The Honorable Brad Little
President of the Senate
Idaho Legislature

Dear Mr. President:

I have the honor to inform you that I have signed today and am transmitting to the Secretary of State the following Senate Bill, to wit:

S 1210

As Always - Idaho, *Esto Perpetua*
/s/ C.L. "Butch" Otter
Governor of Idaho

The correspondence was ordered filed in the office of the Secretary of the Senate.

The Senate advanced to the Ninth Order of Business.

Messages from the House

February 5, 2014

Dear Mr. President:

I transmit herewith Enrolled [H 407](#) for the signature of the President.

ALEXANDER, Chief Clerk

The President signed Enrolled [H 407](#) and ordered it returned to the House.

The Senate advanced to the Tenth Order of Business.

Motions and Resolutions

The President announced that [SJM 105](#) was before the Senate for final consideration, the question being, "Shall the memorial be adopted?"

On motion by Senator Lodge, seconded by Senator Heider, [SJM 105](#) was adopted by voice vote, title was approved, and the memorial ordered transmitted to the House.

The President announced that the Commerce and Human Resources Committee report relative to the Gubernatorial appointment of Zelda Geyer-Sylvia was before the Senate for final consideration, the question being, "Shall the report be adopted?"

On motion by Senator Cameron, seconded by Senator Stennett, the Gubernatorial appointment of Zelda Geyer-Sylvia as a member of the Idaho Health Insurance Exchange Board was confirmed by voice vote.

The President declared the report adopted and directed the Secretary of the Senate to prepare a letter of the Gubernatorial appointment confirmation for his signature, attested to by the Secretary, to be transmitted to the Governor informing him of the action of the Senate.

The Senate advanced to the Eleventh Order of Business.

Introduction, First Reading, and Reference of Bills, House Petitions, Resolutions, and Memorials

S 1290

BY JUDICIARY AND RULES COMMITTEE

AN ACT

RELATING TO THE JUVENILE CORRECTIONS ACT; AMENDING SECTION 20-505, IDAHO CODE, TO REVISE APPLICATION OF THE JUVENILE CORRECTIONS ACT ON ALCOHOL OR TOBACCO VIOLATIONS WHERE THE ACT OR OMISSION WOULD BE A CRIME IF COMMITTED BY AN ADULT.

S 1291

BY HEALTH AND WELFARE COMMITTEE

AN ACT

RELATING TO DENTISTS; AMENDING SECTION 54-903, IDAHO CODE, TO REVISE THE DEFINITIONS OF "DENTAL ASSISTANT," "DENTAL SPECIALIST" AND AN "EXTENDED ACCESS ORAL HEALTH CARE PROGRAM" AND TO MAKE TECHNICAL CORRECTIONS.

S 1292

BY HEALTH AND WELFARE COMMITTEE

AN ACT

RELATING TO CHILD SUPPORT; AMENDING SECTION 7-1203, IDAHO CODE, TO REVISE TERMINOLOGY RELATING TO COLLECTION.

S 1293

BY HEALTH AND WELFARE COMMITTEE

AN ACT

RELATING TO ADOPTION; AMENDING SECTION 16-1504, IDAHO CODE, TO REVISE A PROVISION RELATING TO WHEN AN UNMARRIED BIOLOGICAL FATHER HAS MANIFESTED A FULL COMMITMENT TO HIS PARENTAL RESPONSIBILITIES AND TO REVISE PROVISIONS RELATING TO WHEN AN UNMARRIED BIOLOGICAL FATHER IS DEEMED TO HAVE WAIVED AND SURRENDERED ANY RIGHT IN RELATION TO A CHILD; AND AMENDING SECTION 16-1513, IDAHO CODE, TO REVISE A PROVISION RELATING TO WHEN AN UNMARRIED BIOLOGICAL FATHER IS DEEMED TO HAVE WAIVED AND SURRENDERED ANY RIGHT IN RELATION TO A CHILD.

S 1294

BY HEALTH AND WELFARE COMMITTEE

AN ACT

RELATING TO LICENSURE OF GENETIC COUNSELORS; AMENDING TITLE 54, IDAHO CODE, BY THE ADDITION OF A NEW CHAPTER 56, TITLE 54, IDAHO CODE,

TO PROVIDE A SHORT TITLE, TO DEFINE TERMS, TO PROVIDE A SCOPE OF PRACTICE FOR GENETIC COUNSELORS, TO PROVIDE EXEMPTIONS FOR LICENSURE, TO REQUIRE A LICENSE TO PRACTICE GENETIC COUNSELING, TO ESTABLISH THE GENETIC COUNSELORS LICENSING BOARD, TO PROVIDE FOR POWERS OF THE BOARD, TO SPECIFY REQUIREMENTS FOR LICENSURE, TO PROVIDE FOR ENDORSEMENT LICENSURE, TO PROVIDE FOR A PROVISIONAL LICENSE, TO PROVIDE FOR THE LICENSING OF EXISTING GENETIC COUNSELORS, TO PROVIDE FOR LICENSE RENEWAL, TO ESTABLISH FEES FOR LICENSURE, TO PROVIDE FOR DENIAL OF A LICENSE OR DISCIPLINE, TO PROVIDE FOR CONFIDENTIALITY BY LICENSEES AND TO PROHIBIT CERTAIN ACTS.

S 1295

BY HEALTH AND WELFARE COMMITTEE

AN ACT

RELATING TO IMMUNIZATION; REPEALING SECTION 2, CHAPTER 134, LAWS OF 2010, RELATING TO THE SUNSET PROVISION OF THE IDAHO CHILDHOOD IMMUNIZATION POLICY COMMISSION.

S 1296

BY EDUCATION COMMITTEE

AN ACT

RELATING TO EDUCATION; TO PROVIDE A SHORT TITLE; TO PROVIDE LEGISLATIVE INTENT; AMENDING CHAPTER 1, TITLE 33, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 33-133, IDAHO CODE, TO PROVIDE DEFINITIONS, TO PROVIDE FOR A RESPONSIBLE ENTITY, TO ESTABLISH PROVISIONS RELATING TO A DATA INVENTORY AND DICTIONARY OR INDEX, TO ESTABLISH PROVISIONS RELATING TO CERTAIN POLICIES AND PROCEDURES, TO ESTABLISH PROVISIONS RELATING TO THE STATE BOARD OF EDUCATION AND THE STATE DEPARTMENT OF EDUCATION ENSURING THAT CERTAIN VENDORS SHALL COMPLY WITH THE LAW, TO PROVIDE FOR A CIVIL ENFORCEMENT ACTION, TO PROVIDE FOR A COURT ACTION, TO PROVIDE FOR A PENALTY, TO ESTABLISH PROVISIONS RELATING TO DATA DEEMED CONFIDENTIAL, TO PROVIDE FOR EXCEPTIONS, TO PROVIDE FOR A DATA SECURITY PLAN, TO ESTABLISH PROVISIONS RELATING TO COMPLIANCE WITH CERTAIN POLICIES AND LAWS, TO ESTABLISH PROVISIONS RELATING TO CERTAIN CONTRACTS, TO PROVIDE FOR NOTIFICATION TO THE GOVERNOR AND THE LEGISLATURE, TO PROVIDE FOR RULES, TO ESTABLISH PROVISIONS RELATING TO EXISTING COLLECTION OF STUDENT DATA, TO ESTABLISH PROVISIONS RELATING TO A PARENT OR GUARDIAN REQUEST FOR THEIR CHILD'S STUDENT RECORD, TO PROVIDE FOR A MODEL POLICY AND TO PROVIDE FOR PENALTIES; AND DECLARING AN EMERGENCY.

S 1297

BY FINANCE COMMITTEE

AN ACT

APPROPRIATING ADDITIONAL MONEYS TO THE OFFICE OF SPECIES CONSERVATION FOR FISCAL YEAR 2014; APPROPRIATING ADDITIONAL MONEYS TO THE DEPARTMENT OF FISH AND GAME FOR FISCAL YEAR 2014; AND DECLARING AN EMERGENCY.

S 1298

BY AGRICULTURAL AFFAIRS COMMITTEE

AN ACT

RELATING TO AGRICULTURE; AMENDING CHAPTER 70, TITLE 18, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 18-7042, IDAHO CODE, TO PROVIDE FOR THE CRIME OF INTERFERENCE WITH AGRICULTURAL PRODUCTION, TO DEFINE TERMS, TO PROVIDE FOR VIOLATIONS AND PENALTIES AND TO PROVIDE FOR RESTITUTION; PROVIDING SEVERABILITY; AND DECLARING AN EMERGENCY.

S 1299

BY AGRICULTURAL AFFAIRS COMMITTEE

AN ACT

RELATING TO DAIRY PRODUCTS; AMENDING SECTION 37-301, IDAHO CODE, TO REMOVE PROVISIONS RELATING TO THE MAINTENANCE OF NAMES OF CERTAIN DAIRYMEN AND TO PROVIDE A STATEMENT OF PURPOSE; AMENDING SECTION 37-302, IDAHO CODE, TO PROVIDE FOR INSPECTIONS, TO PROVIDE THAT INSPECTIONS SHALL ASCERTAIN AND CERTIFY SANITARY CONDITIONS AND MILK QUALITY, TO AUTHORIZE THE DIRECTOR OF THE DEPARTMENT OF AGRICULTURE TO DESIGNATE AGENTS TO PERFORM CERTAIN DUTIES, TO PROVIDE FOR SANITARY INSPECTIONS, TO PROVIDE THAT INSPECTIONS, EXAMINATIONS AND TESTS SHALL MEET REQUIREMENTS OF STATE AND FEDERAL LAW, TO PROVIDE THAT DESIGNATED AGENTS MAY ENTER PREMISES AND BUILDINGS FOR INSPECTIONS, TO PROVIDE FOR FEES OR ASSESSMENTS ASSOCIATED WITH INSPECTIONS AND TO PROVIDE FOR THE DAIRY INDUSTRY AND INSPECTION FUND; AMENDING CHAPTER 3, TITLE 37, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 37-303, IDAHO CODE, TO AUTHORIZE RULEMAKING AND ENFORCEMENT BY THE DIRECTOR OF THE DEPARTMENT OF AGRICULTURE, TO PROVIDE THAT CERTAIN MILK, CREAM AND MANUFACTURED DAIRY PRODUCTS SHALL COMPLY WITH SPECIFIED LAW AND TO PROVIDE STANDARDS RELATING TO THE SANITATION OF MILK AND CREAM; AMENDING CHAPTER 3, TITLE 37, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 37-304, IDAHO CODE, TO PROVIDE FOR THE ISSUANCE OF PERMITS, TO SPECIFY REQUIREMENTS FOR THE ISSUANCE OF PERMITS TO NEW OR EXPANDING DAIRY FARMS, TO DEFINE TERMS, TO PROVIDE FOR EXAMINATION, INSPECTION AND REPORTS OF FINDINGS AND CONCLUSIONS BY THE DIRECTOR AND TO PROVIDE THAT THE ISSUANCE OR REVOCATION OF LICENSES OR PERMITS SHALL BE BASED UPON THE REPORT OR REPORTS OF THE DIRECTOR; AMENDING CHAPTER 3, TITLE 37, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 37-305, IDAHO CODE, TO AUTHORIZE THE DIRECTOR TO BRING CIVIL ACTIONS FOR ENFORCEMENT OF SPECIFIED LAW; REPEALING SECTION 37-306, IDAHO CODE, RELATING TO MILK-BOTTLING PLACES; AMENDING CHAPTER 3, TITLE 37, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 37-306, IDAHO CODE, TO AUTHORIZE THE DEPARTMENT OF AGRICULTURE TO ADVISE, ASSIST AND COOPERATE WITH THE FEDERAL GOVERNMENT, AGENCIES AND OTHER ENTITIES IN THE EXERCISE OF ITS POWERS AND DUTIES UNDER SPECIFIED LAW; AMENDING

CHAPTER 3, TITLE 37, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 37-307, IDAHO CODE, TO DEFINE TERMS RELATING TO MILK HAULERS AND TANKS; REPEALING SECTION 37-308, IDAHO CODE, RELATING TO THE BOTTLING AND PACKAGING OF MILK; AMENDING CHAPTER 3, TITLE 37, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 37-308, IDAHO CODE, TO PROVIDE STANDARDS FOR TRANSPORTATION TANKS; AMENDING CHAPTER 3, TITLE 37, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 37-309, IDAHO CODE, TO PROVIDE STANDARDS RELATING TO MILK HAULERS AND THE OPERATION OF TRANSPORTATION TANKS; REPEALING SECTION 37-310, IDAHO CODE, RELATING TO EMPTY BOTTLES FROM QUARANTINED PREMISES; AMENDING CHAPTER 3, TITLE 37, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 37-310, IDAHO CODE, TO PROVIDE STANDARDS RELATING TO QUALITY CONTROL OF MILK SAMPLES TAKEN FROM TANKS; REPEALING SECTION 37-313, IDAHO CODE, RELATING TO THE PROHIBITION OF THE SALE OF DILUTED MILK; REPEALING SECTION 37-314, IDAHO CODE, RELATING TO ADULTERATED MILK; REPEALING SECTION 37-315, IDAHO CODE, RELATING TO MILKMEN AFFLICTED WITH DISEASE; REPEALING SECTION 37-316, IDAHO CODE, RELATING TO THE SALE OF MILK FROM INFECTED PREMISES; REPEALING SECTION 37-317, IDAHO CODE, RELATING TO THE REQUIREMENT THAT MILK BE COOLED; REPEALING SECTION 37-322, IDAHO CODE, RELATING TO STANDARDS FOR CREAM; REPEALING SECTION 37-324, IDAHO CODE, RELATING TO PENALTIES FOR VIOLATIONS; AMENDING SECTION 37-325, IDAHO CODE, TO REDESIGNATE THE SECTION, TO REMOVE CERTAIN REPORTING PROVISIONS RELATING TO CREAMERIES, CHEESE FACTORIES AND MILK DAIRIES, TO REMOVE PROVISIONS RELATING TO THE ATTACHMENT OF TAGS REFLECTING CAPACITY, TO REMOVE CERTAIN VIOLATION PROVISIONS AND TO PROVIDE THAT CERTAIN MILK PROCESSORS, COOPERATIVES AND ORGANIZATIONS SHALL PROVIDE FULL AND ACCURATE ACCOUNTS OF AMOUNTS OF MILK PURCHASED AND VOLUME OF DAIRY PRODUCTS PROCESSED; REPEALING SECTION 37-326, IDAHO CODE, RELATING TO STANDARDS FOR DAIRY PRODUCTS; REPEALING SECTION 37-330, IDAHO CODE, RELATING TO PENALTIES FOR VIOLATIONS OF SPECIFIED LAW; AMENDING SECTION 37-332, IDAHO CODE, TO REDESIGNATE THE SECTION, TO MAKE TECHNICAL CORRECTIONS AND TO MAKE A CODIFIER CORRECTION; AMENDING SECTION 37-332a, IDAHO CODE, TO REDESIGNATE THE SECTION, TO REMOVE CERTAIN GRADING PROVISIONS AND TO PROVIDE THAT GRADES OF BUTTER SHALL COMPLY WITH SPECIFIED STANDARDS; AMENDING SECTION 37-332b, IDAHO CODE, TO REDESIGNATE THE SECTION, TO REMOVE CERTAIN VIOLATIONS, GRADE AND EXCEPTION PROVISIONS RELATING TO BUTTER, TO PROVIDE FOR THE REJECTION OF CERTAIN BUTTER AND TO PROVIDE FOR THE RELABELING, REGRADING AND REPROCESSING OF CERTAIN REJECTED BUTTER; REPEALING SECTION 37-332c, IDAHO CODE, RELATING TO BUTTER GRADERS, WRAPPERS AND GRADE EMBLEMS; REPEALING SECTION 37-332d, IDAHO CODE, RELATING TO THE LICENSING OF BUTTER GRADERS; REPEALING SECTION 37-332e, IDAHO CODE, RELATING TO THE REVOCATION OR SUSPENSION OF LICENSES; REPEALING SECTION 37-332f, IDAHO

CODE, RELATING TO ENFORCEMENT; REPEALING SECTION 37-332g, IDAHO CODE, RELATING TO VIOLATIONS; REPEALING SECTION 37-332h, IDAHO CODE, RELATING TO THE DEPOSIT OF FEES AND FINES INTO THE DAIRY INDUSTRY AND INSPECTION FUND; REPEALING SECTION 37-333, IDAHO CODE, RELATING TO THE DISPLAY OF THE WEIGHT OF BUTTER; AMENDING SECTION 37-334, IDAHO CODE, TO REDESIGNATE THE SECTION AND TO MAKE A TECHNICAL CORRECTION; AMENDING SECTION 37-334a, IDAHO CODE, TO REDESIGNATE THE SECTION, TO REVISE CODE REFERENCES AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 37-334d, IDAHO CODE, TO REDESIGNATE THE SECTION; AMENDING SECTION 37-334e, IDAHO CODE, TO REDESIGNATE THE SECTION, TO REVISE CODE REFERENCES AND TO MAKE A TECHNICAL CORRECTION; AMENDING SECTION 37-335, IDAHO CODE, TO REDESIGNATE THE SECTION AND TO REVISE CODE REFERENCES; REPEALING SECTION 37-338, IDAHO CODE, RELATING TO ADMINISTRATION BY THE DEPARTMENT OF AGRICULTURE; REPEALING SECTION 37-339, IDAHO CODE, RELATING TO THE DESIGNATION OF BREED NAME OF DAIRY CATTLE ON LABELS; REPEALING SECTION 37-340, IDAHO CODE, RELATING TO THE UNLAWFUL USE OF BREED NAMES ON LABELS; REPEALING SECTION 37-341, IDAHO CODE, RELATING TO ADMINISTRATION AND ENFORCEMENT; REPEALING SECTION 37-342, IDAHO CODE, RELATING TO VIOLATIONS; REPEALING SECTION 37-343, IDAHO CODE, RELATING TO INJUNCTION PROCEEDINGS; REPEALING CHAPTER 4, TITLE 37, IDAHO CODE, RELATING TO SANITARY INSPECTION OF DAIRY PRODUCTS; AMENDING TITLE 37, IDAHO CODE, BY THE ADDITION OF A NEW CHAPTER 4, TITLE 37, IDAHO CODE, TO PROVIDE FOR THE DAIRY ENVIRONMENTAL CONTROL ACT, TO PROVIDE A SHORT TITLE, TO DECLARE POLICY AND TO PROVIDE FOR LEGISLATIVE INTENT AND RECOGNITION OF SPECIFIED FACTORS, TO PROVIDE THAT SUCCESSFUL IMPLEMENTATION OF SPECIFIED PROVISIONS OF LAW IS DEPENDENT ON CERTAIN FACTORS, TO AUTHORIZE REGULATION OF DAIRY WASTE SYSTEMS BY THE DIRECTOR OF THE DEPARTMENT OF AGRICULTURE, TO AUTHORIZE ADMINISTRATION OF ALL STATE LAWS TO PROTECT WATER QUALITY APPLICABLE TO DAIRY OPERATIONS, TO PROVIDE THAT DEPARTMENT RESOURCES WILL PRIORITIZE CERTAIN OPERATIONS AND TO ENSURE REQUIREMENTS ARE COST-EFFECTIVE AND FEASIBLE, TO PROVIDE THAT THE DEPARTMENT SHALL BE RESPONSIBLE TO PREVENT GROUND WATER CONTAMINATION FROM DAIRY FARMS UNDER SPECIFIED LAW, TO AUTHORIZE THE DIRECTOR OF THE DEPARTMENT OF AGRICULTURE TO EXERCISE CERTAIN AUTHORITY DELEGATED BY THE DIRECTOR OF THE DEPARTMENT OF ENVIRONMENTAL QUALITY RELATING TO DAIRY FARMS, TO AUTHORIZE THE DIRECTOR OF THE DEPARTMENT OF ENVIRONMENTAL QUALITY TO DELEGATE CERTAIN AUTHORITY TO THE DIRECTOR OF THE DEPARTMENT OF AGRICULTURE, TO PROVIDE THAT THE DIRECTOR OF THE DEPARTMENT OF ENVIRONMENTAL QUALITY WILL CONSULT WITH THE DIRECTOR OF THE DEPARTMENT OF AGRICULTURE BEFORE CERTIFYING DISCHARGES FROM DAIRY FARMS, TO DEFINE TERMS, TO PROVIDE FOR THE DESIGN AND CONSTRUCTION OF NEW

AND MODIFIED WASTE SYSTEMS, TO PROVIDE FOR NUTRIENT MANAGEMENT PLANS, TO AUTHORIZE THE DIRECTOR OF THE DEPARTMENT OF AGRICULTURE OR HIS DESIGNEE TO ENTER AND INSPECT DAIRY FARMS, TO AUTHORIZE ACCESS TO AND COPYING OF FACILITY RECORDS, TO PROVIDE FOR COMPLIANCE WITH CERTAIN BIOSECURITY PROTOCOL, TO PROVIDE FOR CONSTITUTIONAL CONFORMANCE AND TO PROHIBIT CERTAIN WARRANTLESS SEARCHES, TO PROHIBIT UNAUTHORIZED DISCHARGES, TO PROVIDE THAT CERTAIN NONCOMPLIANCE SHALL BE ADDRESSED THROUGH CORRECTIVE ACTIONS AND COMPLIANCE SCHEDULES, TO PROVIDE FOR FINES FOR CERTAIN VIOLATIONS AND TO PROVIDE THAT CIVIL PENALTIES SHALL BE REMITTED TO THE COUNTY WHERE THE VIOLATION OCCURRED, TO PROVIDE THAT DAIRY FARMS OPERATING IN COMPLIANCE WITH SPECIFIED LAW SHALL NOT BE SUBJECT TO CERTAIN STATE ENFORCEMENT ACTIONS EXCEPT UNDER CERTAIN CIRCUMSTANCES, TO PROVIDE THAT UNDER CERTAIN CONDITIONS PENDING ADMINISTRATIVE OR CIVIL ENFORCEMENT ACTIONS SHALL BE DEEMED VOID AND TO PROVIDE THAT CERTAIN ORDERS SHALL REMAIN IN EFFECT; REPEALING CHAPTER 7, TITLE 37, IDAHO CODE, RELATING TO PASTEURIZATION; REPEALING CHAPTER 8, TITLE 37, IDAHO CODE, RELATING TO GRADES OF QUALITY FOR MILK AND MILK PRODUCTS; REPEALING CHAPTER 10, TITLE 37, IDAHO CODE, RELATING TO DISCRIMINATION AND UNFAIR COMPETITION IN BUYING AND SELLING DAIRY PRODUCTS; AND AMENDING SECTION 39-118, IDAHO CODE, TO REVISE A CODE REFERENCE.

S 1300

BY LOCAL GOVERNMENT AND TAXATION COMMITTEE

AN ACT

RELATING TO COUNTIES; AMENDING SECTION 31-836, IDAHO CODE, TO REVISE A PROVISION RELATING TO THE LEASE OF A HOSPITAL BY THE BOARD OF COUNTY COMMISSIONERS.

S 1301

BY LOCAL GOVERNMENT AND TAXATION COMMITTEE

AN ACT

RELATING TO INCOME TAXATION; AMENDING CHAPTER 30, TITLE 63, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 63-3022S, IDAHO CODE, TO PROVIDE FOR RELIEF FROM JOINT AND SEVERAL LIABILITY ON A JOINT RETURN IF CERTAIN CONDITIONS OCCUR, TO PROVIDE PROCEDURES AND TO PROVIDE FOR RULES; DECLARING AN EMERGENCY AND PROVIDING RETROACTIVE APPLICATION.

[S 1290](#), [S 1291](#), [S 1292](#), [S 1293](#), [S 1294](#), [S 1295](#), [S 1296](#), [S 1297](#), [S 1298](#), [S 1299](#), [S 1300](#), and [S 1301](#) were introduced, read the first time at length, and referred to the Judiciary and Rules Committee for printing.

The Senate advanced to the Twelfth Order of Business.

Second Reading of Bills

[S 1204](#) and [S 1205](#), by Commerce and Human Resources Committee, were read the second time at length and filed for third reading.

[S 1229](#), [S 1257](#), and [S 1264](#), by Education Committee, were read the second time at length and filed for third reading.

Moved by Senator Winder, seconded by Senator Stennett, that all rules of the Senate interfering with the immediate consideration of [H 385](#) be suspended. The question being, "Shall the rules be suspended?"

Roll call resulted as follows:

AYES—Bair, Bayer, Brackett, Buckner-Webb, Cameron, Fulcher, Goedde, Guthrie, Hagedorn, Heider, Hill, Johnson, Keough, Lacey, Lakey, Lodge, Martin, McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Pearce, Rice, Schmidt, Siddoway, Stennett, Thayn, Tippets, Vick, Ward-Engelking, Werk, Winder. Total - 33.

NAYS—None.

Absent and excused—Bock, Davis. Total - 2.

Total - 35.

More than two-thirds having voted in the affirmative, the President declared the rules suspended and announced that [H 385](#) was before the Senate for final consideration.

[H 385](#) was read the second time by title and the third time at length, section by section, and placed before the Senate for final consideration. Senator Thayn arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Bayer, Brackett, Buckner-Webb, Cameron, Fulcher, Goedde, Guthrie, Hagedorn, Heider, Hill, Johnson, Keough, Lacey, Lakey, Lodge, Martin, McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Pearce, Rice, Schmidt, Stennett, Thayn, Tippets, Vick, Ward-Engelking, Werk, Winder. Total - 31.

NAYS—Bair, Siddoway. Total - 2.

Absent and excused—Bock, Davis. Total - 2.

Total - 35.

Whereupon the President declared [H 385](#) passed, title was approved, and the bill ordered returned to the House.

The Senate advanced to the Thirteenth Order of Business.

Third Reading of Bills

[S 1246](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Mortimer arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Bair, Bayer, Brackett, Buckner-Webb, Cameron, Fulcher, Goedde, Guthrie, Hagedorn, Heider, Hill, Johnson, Keough, Lacey, Lakey, Lodge, Martin, McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Pearce, Rice, Schmidt, Siddoway, Stennett, Thayn, Tippets, Vick, Ward-Engelking, Werk, Winder. Total - 33.

NAYS—None.

Absent and excused—Bock, Davis. Total - 2.

Total - 35.

Whereupon the President declared [S 1246](#) passed, title was approved, and the bill ordered transmitted to the House.

[S 1248](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Werk arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Bair, Bayer, Brackett, Buckner-Webb, Cameron, Fulcher, Goedde, Guthrie, Hagedorn, Heider, Hill, Johnson, Keough, Lacey, Lakey, Lodge, Martin, McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Pearce, Rice, Schmidt, Siddoway, Stennett, Thayne, Tippetts, Vick, Ward-Engelking, Werk, Winder. Total - 33.

NAYS—None.

Absent and excused—Bock, Davis. Total - 2.

Total - 35.

Whereupon the President declared [S 1248](#) passed, title was approved, and the bill ordered transmitted to the House.

[S 1249](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Hagedorn arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Bair, Bayer, Brackett, Buckner-Webb, Cameron, Fulcher, Goedde, Guthrie, Hagedorn, Heider, Hill, Johnson, Keough, Lacey, Lakey, Lodge, Martin, McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Pearce, Rice, Schmidt, Siddoway, Stennett, Thayne, Tippetts, Vick, Ward-Engelking, Werk, Winder. Total - 33.

NAYS—None.

Absent and excused—Bock, Davis. Total - 2.

Total - 35.

Whereupon the President declared [S 1249](#) passed, title was approved, and the bill ordered transmitted to the House.

On request by Senator Winder, granted by unanimous consent, the Senate advanced to the Fifteenth Order of Business.

Miscellaneous Business

On motion by Senator Winder, seconded by Senator Stennett, by voice vote, the Senate adjourned at 12 noon until the hour of 11 a.m., Friday, February 7, 2014.

BRAD LITTLE, President

Attest: JENNIFER NOVAK, Secretary

SENATE JOURNAL

OF THE

IDAHO LEGISLATURE

SECOND REGULAR SESSION
SIXTY-SECOND LEGISLATURE

THIRTY-THIRD LEGISLATIVE DAY
FRIDAY, FEBRUARY 7, 2014

Senate Chamber

President Pro Tempore Hill called the Senate to order at 11 a.m.

Roll call showed all members present except Senators Bock, Johnson, Keough, and Lacey, absent and formally excused by the Chair; and Senator Cameron, absent and excused.

Prayer was offered by Chaplain Keith Buhler.

The Pledge of Allegiance was led by Kaitlyn Parks, Page.

The Senate advanced to the Third Order of Business.

Reading and Correction of the Journal

The JUDICIARY AND RULES Committee reports that the Senate Journal of the proceedings of February 6, 2014, was read and approved as corrected.

LODGE, Chairman

There being no objection, the report was adopted and ordered filed in the office of the Secretary of the Senate.

On request by Senator Davis, granted by unanimous consent, the Senate advanced to the Sixth Order of Business.

Reports of Standing Committees

February 7, 2014

The JUDICIARY AND RULES Committee reports that [S 1290](#), [S 1291](#), [S 1292](#), [S 1293](#), [S 1294](#), [S 1295](#), [S 1296](#), [S 1297](#), [S 1298](#), [S 1299](#), [S 1300](#), and [S 1301](#) have been correctly printed.

LODGE, Chairman

[S 1290](#) was referred to the Judiciary and Rules Committee.

[S 1291](#), [S 1292](#), [S 1293](#), [S 1294](#), and [S 1295](#) were referred to the Health and Welfare Committee.

[S 1296](#) was referred to the Education Committee.

[S 1297](#) was referred to the Finance Committee.

[S 1298](#) and [S 1299](#) were referred to the Agricultural Affairs Committee.

[S 1300](#) and [S 1301](#) were referred to the Local Government and Taxation Committee.

Senator Cameron was recorded present at this order of business.

February 6, 2014

The LOCAL GOVERNMENT AND TAXATION Committee reports out [S 1241](#) with the recommendation that it do pass.

SIDDOWAY, Chairman

[S 1241](#) was filed for second reading.

February 6, 2014

The LOCAL GOVERNMENT AND TAXATION Committee reports out [S 1265](#) with the recommendation that it be referred to the Fourteenth Order of Business for amendment.

SIDDOWAY, Chairman

There being no objection, [S 1265](#) was referred to the Fourteenth Order of Business, General Calendar.

On request by Senator Davis, granted by unanimous consent, the Senate advanced to the Ninth Order of Business.

Messages from the House

February 6, 2014

Dear Mr. President:

I transmit herewith [H 392](#), [H 352](#), and [H 353](#), which have passed the House.

ALEXANDER, Chief Clerk

[H 392](#), [H 352](#), and [H 353](#) were filed for first reading.

February 6, 2014

Dear Mr. President:

I transmit herewith Enrolled [H 374](#) for the signature of the President.

ALEXANDER, Chief Clerk

The President Pro Tempore signed Enrolled [H 374](#) and ordered it returned to the House.

On request by Senator Davis, granted by unanimous consent, the Senate advanced to the Eleventh Order of Business.

Introduction, First Reading, and Reference of Bills, House Petitions, Resolutions, and Memorials

S 1302

BY TRANSPORTATION COMMITTEE

AN ACT

RELATING TO CONVEYANCES OR TRANSFERS OF PROPERTY; AMENDING SECTION 67-2323, IDAHO CODE, TO PROVIDE THAT FOR CONVEYANCES OR TRANSFERS OF REAL OR PERSONAL PROPERTY WITH A CERTAIN VALUE, NOTICE SHALL BE GIVEN BY PUBLICATION.

S 1303**BY TRANSPORTATION COMMITTEE****AN ACT**

RELATING TO EMINENT DOMAIN; AMENDING SECTION 7-711A, IDAHO CODE, TO REVISE PROVISIONS RELATING TO DELIVERY OF A FORM.

S 1304**BY TRANSPORTATION COMMITTEE****AN ACT**

RELATING TO DRIVER'S LICENSES; AMENDING SECTION 49-307, IDAHO CODE, TO REVISE PROVISIONS RELATING TO A PERMIT; AMENDING SECTION 49-310, IDAHO CODE, TO REVISE PROVISIONS RELATING TO CERTAIN APPLICATIONS; AND AMENDING SECTION 49-313, IDAHO CODE, TO REVISE PROVISIONS RELATING TO RETAKING A TEST.

S 1305**BY TRANSPORTATION COMMITTEE****AN ACT**

RELATING TO COMMERCIAL DRIVER'S LICENSES; AMENDING SECTION 49-105, IDAHO CODE, TO REVISE DEFINITIONS; AMENDING SECTION 49-123, IDAHO CODE, TO REVISE DEFINITIONS AND TO MAKE A TECHNICAL CORRECTION; AND PROVIDING AN EFFECTIVE DATE.

S 1306**BY TRANSPORTATION COMMITTEE****AN ACT**

RELATING TO COMMERCIAL DRIVER'S LICENSES; AMENDING SECTION 49-104, IDAHO CODE, TO REVISE DEFINITIONS AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 49-110, IDAHO CODE, TO REVISE DEFINITIONS; AMENDING SECTION 49-115, IDAHO CODE, TO REVISE DEFINITIONS; AMENDING SECTION 49-305, IDAHO CODE, TO ESTABLISH PROVISIONS RELATING TO COMMERCIAL LEARNER'S PERMITS; AMENDING SECTION 49-306, IDAHO CODE, TO ESTABLISH PROVISIONS RELATING TO APPLICATION FOR A COMMERCIAL LEARNER'S PERMIT; AMENDING SECTION 49-306, IDAHO CODE, AS AMENDED BY SECTION 2, CHAPTER 354, LAWS OF 2013, TO ESTABLISH PROVISIONS RELATING TO APPLICATION FOR A COMMERCIAL LEARNER'S PERMIT; AMENDING SECTION 49-313, IDAHO CODE, TO ESTABLISH PROVISIONS RELATING TO A CERTAIN EXAMINATION; AND PROVIDING AN EFFECTIVE DATE.

S 1307**BY TRANSPORTATION COMMITTEE****AN ACT**

RELATING TO DRIVER'S LICENSES AND IDENTIFICATION CARDS; AMENDING SECTION 49-319, IDAHO CODE, TO ESTABLISH PROVISIONS RELATING TO A DRIVER'S LICENSE ISSUED TO CERTAIN PERSONS WORKING IN A FOREIGN COUNTRY AND RELATING TO IMMEDIATE FAMILY MEMBERS; AMENDING SECTION 49-2444, IDAHO CODE, TO ESTABLISH PROVISIONS RELATING TO AN IDENTIFICATION CARD ISSUED TO CERTAIN PERSONS WORKING IN A FOREIGN COUNTRY AND RELATING TO IMMEDIATE FAMILY MEMBERS AND TO PROVIDE A CORRECT CODE REFERENCE; AND AMENDING SECTION 49-2444, IDAHO CODE, AS AMENDED BY SECTION 2, CHAPTER 92, LAWS OF

2013, TO ESTABLISH PROVISIONS RELATING TO AN IDENTIFICATION CARD ISSUED TO CERTAIN PERSONS WORKING IN A FOREIGN COUNTRY AND RELATING TO IMMEDIATE FAMILY MEMBERS AND TO PROVIDE A CORRECT CODE REFERENCE.

S 1308**BY TRANSPORTATION COMMITTEE****AN ACT**

RELATING TO HIGHWAY DISTRICTS AND COUNTIES; AMENDING CHAPTER 16, TITLE 40, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 40-1630A, IDAHO CODE, TO PROVIDE THAT A HIGHWAY DISTRICT AND A COUNTY MAY ENTER INTO AN AGREEMENT TO PROVIDE FOR THE DETACHMENT AND ANNEXATION OF CERTAIN TERRITORY, TO PROVIDE THAT SUCH AGREEMENT SHALL NOT REQUIRE AN ELECTION; AND DECLARING AN EMERGENCY.

S 1309**BY COMMERCE AND HUMAN RESOURCES COMMITTEE****AN ACT**

RELATING TO EMINENT DOMAIN PROCEEDINGS; AMENDING SECTION 58-1104, IDAHO CODE, TO ESTABLISH PROVISIONS RELATING TO THE AWARD OF CERTAIN COSTS.

S 1310**BY COMMERCE AND HUMAN RESOURCES COMMITTEE****AN ACT**

RELATING TO PROPERTY; AMENDING CHAPTER 1, TITLE 55, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 55-115, IDAHO CODE, TO DEFINE TERMS, TO PROVIDE THAT A HOMEOWNER'S ASSOCIATION MAY NOT IMPOSE FINES ON MEMBERS UNLESS ITS AUTHORITY TO DO SO IS CLEARLY SET FORTH IN THE COVENANTS AND RESTRICTIONS; TO PROVIDE A PROCEDURE RELATING TO THE IMPOSITION OF FINES ON HOMEOWNER'S ASSOCIATION MEMBERS, TO PROVIDE THAT NO FINE SHALL BE IMPOSED IF A MEMBER BEGINS RESOLVING THE VIOLATION PRIOR TO THE MEETING SO LONG AS THE MEMBER CONTINUES TO ADDRESS THE VIOLATION IN GOOD FAITH UNTIL FULLY RESOLVED, TO PROVIDE A RESTRICTION RELATING TO THE USE OF FINES AND TO PROVIDE THAT SPECIFIED LAW SHALL NOT AFFECT CERTAIN AUTHORITY THAT MAY ALLOW FOR THE RECOVERY OF ATTORNEY'S FEES.

S 1311**BY COMMERCE AND HUMAN RESOURCES COMMITTEE****AN ACT**

RELATING TO THE PUBLIC WORKS CONSTRUCTION MANAGEMENT LICENSING ACT; AMENDING SECTION 54-4503, IDAHO CODE, TO REVISE A DEFINITION AND TO MAKE A TECHNICAL CORRECTION; AMENDING SECTION 54-4511, IDAHO CODE, TO ESTABLISH PROVISIONS RELATING TO A CONSTRUCTION MANAGER AGENT, TO ESTABLISH PROVISIONS RELATING TO CONSTRUCTION MANAGER/GENERAL CONTRACTOR, TO REVISE PROVISIONS RELATING TO A PUBLIC ENTITY ENTERING INTO A CERTAIN CONTRACT FOR CERTAIN SERVICES AS A CONSTRUCTION

MANAGER AGENT OR AS A CONSTRUCTION MANAGER/GENERAL CONTRACTOR AND TO ESTABLISH PROVISIONS RELATING TO COMPENSATION OF A CONSTRUCTION MANAGER; AND AMENDING SECTION 54-4512, IDAHO CODE, TO PROVIDE THAT A CONSTRUCTION MANAGER/GENERAL CONTRACTOR SHALL PROVIDE PAYMENT AND PERFORMANCE BONDS.

S 1312

**BY COMMERCE AND HUMAN RESOURCES
COMMITTEE**

AN ACT

RELATING TO THE PUBLIC EMPLOYEE RETIREMENT SYSTEM; AMENDING SECTION 59-1306, IDAHO CODE, TO INCLUDE ADDITIONAL REFERENCES TO THE INTERNAL REVENUE CODE, TO REMOVE ARCHAIC REFERENCE TO AN EFFECTIVE DATE AND TO MAKE TECHNICAL CORRECTIONS; AND PROVIDING SEVERABILITY.

S 1313

**BY COMMERCE AND HUMAN RESOURCES
COMMITTEE**

AN ACT

RELATING TO AGREEMENTS BETWEEN SUPPLIERS AND DEALERS OF FARM EQUIPMENT; AMENDING SECTION 28-24-103, IDAHO CODE, TO REVISE PROVISIONS RELATING TO PROHIBITED CONDUCT BY SUPPLIERS IN REGARD TO SUBSTANTIAL CHANGES IN COMPETITIVE CIRCUMSTANCES OF DEALER AGREEMENTS OR DEALER RELATIONSHIPS WITH SUPPLIERS, TO REMOVE AN APPLICABILITY PROVISION AND TO CLARIFY THE FACT THAT A DEALER AGREEMENT ALLOWS AN EVENT, ACT OR OMISSION DOES NOT AFFECT CERTAIN DETERMINATIONS; AND AMENDING SECTION 28-24-104, IDAHO CODE, TO REQUIRE SUPPLIERS TO PROVIDE CERTAIN NOTICE TO DEALERS IN THE EVENT OF SUBSTANTIAL CHANGES IN THE COMPETITIVE CIRCUMSTANCES OF DEALER AGREEMENTS OR DEALER RELATIONSHIPS WITH SUPPLIERS, TO PROVIDE THAT SUPPLIERS MAY SUBSTANTIALLY CHANGE THE COMPETITIVE CIRCUMSTANCES OF DEALER AGREEMENTS OR DEALER RELATIONSHIPS WITH SUPPLIERS AFTER A SPECIFIED PERIOD OF TIME AND TO PROVIDE FOR CONTENT OF CERTAIN NOTICE AND TO MAKE A TECHNICAL CORRECTION.

S 1314

**BY COMMERCE AND HUMAN RESOURCES
COMMITTEE**

AN ACT

RELATING TO PAYDAY LOANS; AMENDING SECTION 28-46-401, IDAHO CODE, TO REVISE A DEFINITION AND TO ADD A DEFINITION; AMENDING SECTION 28-46-412, IDAHO CODE, TO REMOVE REFERENCE TO WRITTEN NOTICE TO THE BORROWER AND TO PROVIDE THAT A PAYDAY LENDER SHALL NOT MAKE MORE THAN TWO ELECTRONIC REPRESENTMENTS OF A BORROWER'S CHECK; AMENDING SECTION 28-46-413, IDAHO CODE, TO PROVIDE THAT A PAYDAY LOAN SHALL NOT EXCEED TWENTY-FIVE PERCENT OF A BORROWER'S GROSS MONTHLY INCOME, TO PROVIDE THAT A LENDER SHALL OBTAIN INFORMATION ON A BORROWER'S GROSS MONTHLY INCOME AND TO

PROVIDE CORRECT CODE REFERENCES; AMENDING CHAPTER 46, TITLE 28, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 28-46-414, IDAHO CODE, TO PROVIDE FOR EXTENDED PAYMENT PLANS AND THE PROVISIONS FOR EXTENDED PAYMENT PLANS; AND AMENDING CHAPTER 46, TITLE 28, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 28-46-415, IDAHO CODE, TO PROVIDE FOR WRITTEN DISCLOSURES TO A BORROWER BEFORE FUNDS ARE DISBURSED.

S 1315

**BY COMMERCE AND HUMAN RESOURCES
COMMITTEE**

AN ACT

RELATING TO DRIVER'S LICENSES; AMENDING SECTION 49-307, IDAHO CODE, TO PROVIDE THAT PART OF A DRIVER'S TRAINING COURSE FEE BE DEPOSITED IN THE OCCUPATIONAL LICENSES FUND OR THE DRIVER TRAINING ACCOUNT DEPENDING UPON THE SELECTED DRIVER'S TRAINING PROGRAM AND TO MAKE A TECHNICAL CORRECTION.

S 1316

**BY COMMERCE AND HUMAN RESOURCES
COMMITTEE**

AN ACT

RELATING TO VETERANS; AMENDING CHAPTER 5, TITLE 65, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 65-513, IDAHO CODE, TO AUTHORIZE PREFERENCE IN HIRING AND PROMOTIONS BY PRIVATE EMPLOYERS FOR VETERANS AND CERTAIN INDIVIDUALS.

S 1317

BY EDUCATION COMMITTEE

AN ACT

RELATING TO EDUCATION; AMENDING SECTION 3, CHAPTER 272, LAWS OF 2013, TO REVISE A SUNSET DATE.

S 1318

BY EDUCATION COMMITTEE

AN ACT

RELATING TO EDUCATION; AMENDING SECTION 3, CHAPTER 329, LAWS OF 2013, TO REVISE A SUNSET PROVISION.

S 1319

BY EDUCATION COMMITTEE

AN ACT

RELATING TO EDUCATION; AMENDING SECTION 33-515, IDAHO CODE, TO REMOVE REFERENCES TO THE 2013-2014 SCHOOL YEAR, TO REVISE PROVISIONS RELATING TO CERTAIN SALARY-BASED APPORTIONMENT ESTIMATES AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 7, CHAPTER 353, LAWS OF 2013, TO REVISE A SUNSET DATE; DECLARING AN EMERGENCY AND PROVIDING RETROACTIVE APPLICATION.

S 1320

BY EDUCATION COMMITTEE

AN ACT

RELATING TO EDUCATION AND GOVERNMENTAL SERVICES; AMENDING SECTION 6-902, IDAHO CODE, TO DEFINE A TERM; AMENDING SECTION 6-919,

IDAHO CODE, TO ESTABLISH PROVISIONS RELATING TO A STATE INSTITUTION PURCHASING LIABILITY INSURANCE; AMENDING SECTION 6-920, IDAHO CODE, TO PROVIDE FOR AN EXCEPTION AND TO ESTABLISH PROVISIONS RELATING TO STATE EDUCATIONAL INSTITUTIONS' PURCHASE OF LIABILITY INSURANCE; AMENDING SECTION 33-107, IDAHO CODE, TO PROVIDE THAT THE STATE BOARD OF EDUCATION MAY APPROVE THE WITHDRAWAL OF AN IDAHO PUBLIC UNIVERSITY OR COLLEGE FROM USE OF A STATE SERVICE; AMENDING SECTION 33-3727, IDAHO CODE, TO PROVIDE A CORRECT CODE REFERENCE; AMENDING SECTION 67-3610, IDAHO CODE, TO REMOVE LANGUAGE REFERRING TO THE UNIVERSITY OF IDAHO AND TO MAKE A TECHNICAL CORRECTION; AMENDING SECTION 67-5303, IDAHO CODE, TO REVISE PROVISIONS RELATING TO NONCLASSIFIED EMPLOYEES, TO PROVIDE A REFERENCE TO THE PROFESSIONAL STAFF OF THE OFFICE OF THE STATE BOARD OF EDUCATION AND TO DEFINE A TERM; AMENDING SECTION 67-5711, IDAHO CODE, TO PROVIDE A REFERENCE TO THE STATE BOARD OF EDUCATION AND TO PROVIDE FOR APPLICATION OF LAW; AMENDING SECTION 67-5745A, IDAHO CODE, TO REVISE DEFINITIONS; AMENDING SECTION 67-5747, IDAHO CODE, TO REMOVE LANGUAGE REFERRING TO INSTITUTIONS OF HIGHER EDUCATION RELATING TO CERTAIN DUTIES OF THE DEPARTMENT OF ADMINISTRATION AND TO PROVIDE THAT THE STATE BOARD OF EDUCATION MAY REQUEST THE DEPARTMENT OF ADMINISTRATION TO PROVIDE SERVICES; AMENDING SECTION 67-5761, IDAHO CODE, TO ESTABLISH PROVISIONS RELATING TO A STATE EDUCATION INSTITUTION ELECTING TO WITHDRAW FROM CERTAIN GROUP INSURANCE PLANS AND TO MAKE A TECHNICAL CORRECTION; AND AMENDING SECTION 67-5773, IDAHO CODE, TO PROVIDE THAT NOTHING IN THIS SECTION SHALL PRECLUDE THE STATE INSTITUTIONS OF HIGHER EDUCATION FROM USING CERTAIN SERVICES; AND PROVIDING SEVERABILITY.

S 1321

BY EDUCATION COMMITTEE

AN ACT

RELATING TO EDUCATION; AMENDING SECTION 33-1004D, IDAHO CODE, TO PROVIDE THAT THE DEPARTMENT MAY ACCEPT DATA FOR CERTAIN INSTRUCTIONAL EMPLOYEES HIRED PRIOR TO JANUARY 1 OF EACH YEAR.

S 1322

BY EDUCATION COMMITTEE

AN ACT

RELATING TO EDUCATION; AMENDING SECTION 33-512, IDAHO CODE, TO ESTABLISH A MINIMUM NUMBER OF INSTRUCTIONAL HOURS FOR ALTERNATIVE SCHOOLS.

S 1323

BY EDUCATION COMMITTEE

AN ACT

RELATING TO PAYMENTS FROM THE PUBLIC SCHOOL INCOME FUND; AMENDING SECTION 33-1009, IDAHO CODE, TO REVISE THE NUMBER OF PAYMENTS FROM THE PUBLIC SCHOOL INCOME FUND AND TO PROVIDE

THAT THE PAYMENTS SHALL BE MADE BY THE DEPARTMENT OF EDUCATION.

S 1324

BY EDUCATION COMMITTEE

AN ACT

RELATING TO COMMUNITY COLLEGES; PROVIDING LEGISLATIVE INTENT; PROVIDING A SHORT TITLE; AND AMENDING CHAPTER 21, TITLE 33, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 33-2145, IDAHO CODE, TO ESTABLISH PROVISIONS RELATING TO A PLAN REGARDING ATTENDANCE AT IDAHO PUBLIC COMMUNITY COLLEGES.

S 1325

BY EDUCATION COMMITTEE

AN ACT

RELATING TO PUBLIC SCHOOL FUNDING; AMENDING CHAPTER 10, TITLE 33, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 33-1002A, IDAHO CODE, TO PROVIDE FUNDING FOR MIDDLE SCHOOL, JUNIOR HIGH SCHOOL AND HIGH SCHOOL STUDENTS ATTENDING SCHOOL IN MORE THAN ONE SCHOOL DISTRICT OR PUBLIC CHARTER SCHOOL, HOME SCHOOL OR PRIVATE SCHOOL, TO DEFINE A TERM AND TO PROVIDE FOR RULES.

S 1326

BY EDUCATION COMMITTEE

AN ACT

RELATING TO EDUCATION; AMENDING CHAPTER 1, TITLE 33, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 33-133, IDAHO CODE, TO PROVIDE DEFINITIONS, TO ESTABLISH PROVISIONS RELATING TO REPORTING CERTAIN STATISTICAL INFORMATION AND TO ESTABLISH PROVISIONS RELATING TO A STATEWIDE DATABASE.

S 1327

BY EDUCATION COMMITTEE

AN ACT

RELATING TO LIFE-THREATENING ALLERGIES IN SCHOOLS; AMENDING CHAPTER 5, TITLE 33, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 33-520A, IDAHO CODE, TO DEFINE TERMS, TO AUTHORIZE SCHOOLS TO VOLUNTARILY MAINTAIN A SUPPLY OF EPINEPHRINE AUTO-INJECTORS, TO PROVIDE FOR THE USE OF EPINEPHRINE AUTO-INJECTORS, TO AUTHORIZE SCHOOLS TO ENTER INTO ARRANGEMENTS WITH MANUFACTURERS OF EPINEPHRINE AUTO-INJECTORS, TO PROVIDE GUIDELINES FOR PARTICIPATION AND TO PROVIDE FOR PROTECTION FROM LIABILITY FOR GOOD SAMARITANS; AMENDING SECTION 54-1705, IDAHO CODE, TO ADD A DEFINITION; AMENDING SECTION 54-1732, IDAHO CODE, TO REVISE A PROVISION RELATING TO THE LABELING OF A LEGEND DRUG AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 54-1733, IDAHO CODE, TO PROVIDE FOR EPINEPHRINE AUTO-INJECTORS WHEN A PRESCRIBER DOES NOT HAVE A PRESCRIBER-PATIENT RELATIONSHIP; AMENDING SECTION 54-1734, IDAHO CODE, TO PROVIDE AN EXCEPTION FOR SCHOOLS POSSESSING STOCK SUPPLIES OF EPINEPHRINE AUTO-INJECTORS; AMENDING SECTIONS 37-3201 AND 54-1761, IDAHO CODE, TO PROVIDE CORRECT CODE

REFERENCES; AND AMENDING SECTIONS 54-4702 AND 54-5110, IDAHO CODE, TO PROVIDE CORRECT CODE REFERENCES AND TO MAKE TECHNICAL CORRECTIONS.

S 1328

BY HEALTH AND WELFARE COMMITTEE

AN ACT

RELATING TO EMERGENCY MEDICAL SERVICES; AMENDING SECTION 56-1012, IDAHO CODE, TO REVISE THE DEFINITION OF EMERGENCY MEDICAL SERVICES.

S 1329

BY HEALTH AND WELFARE COMMITTEE

AN ACT

RELATING TO TIME SENSITIVE EMERGENCIES; AMENDING CHAPTER 10, TITLE 56, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 56-1024, IDAHO CODE, TO STATE LEGISLATIVE INTENT; AMENDING CHAPTER 10, TITLE 56, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 56-1025, IDAHO CODE, TO DEFINE TERMS; AMENDING CHAPTER 10, TITLE 56, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 56-1026, IDAHO CODE, TO CREATE THE IDAHO TIME SENSITIVE EMERGENCY SYSTEM; AMENDING CHAPTER 10, TITLE 56, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 56-1027, IDAHO CODE, TO CREATE THE IDAHO TIME SENSITIVE EMERGENCY SYSTEM COUNCIL AND TO PROVIDE FOR MEMBERSHIP OF THE COUNCIL; AMENDING CHAPTER 10, TITLE 56, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 56-1028, IDAHO CODE, TO PROVIDE FOR DUTIES OF THE COUNCIL AND TO PROVIDE RULEMAKING AUTHORITY; AMENDING CHAPTER 10, TITLE 56, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 56-1029, IDAHO CODE, TO PROVIDE FOR THE DESIGNATION OF TRAUMA, STROKE AND HEART ATTACK CENTERS AND TO PROVIDE CRITERIA FOR DESIGNATION; AMENDING CHAPTER 10, TITLE 56, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 56-1030, IDAHO CODE, TO CREATE REGIONAL TIME SENSITIVE EMERGENCY COMMITTEES AND TO PROVIDE FOR MEMBERSHIP AND DUTIES OF THE COMMITTEES; AMENDING THE HEADING FOR CHAPTER 20, TITLE 57, IDAHO CODE, TO REVISE TERMINOLOGY; AMENDING SECTION 57-2001, IDAHO CODE, TO REVISE TERMINOLOGY AND TO REVISE PROVISIONS RELATING TO PURPOSES OF THE TIME SENSITIVE EMERGENCY REGISTRY; AMENDING SECTION 57-2002, IDAHO CODE, TO ADD AND REVISE DEFINITIONS AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 57-2003, IDAHO CODE, TO REVISE TERMINOLOGY; AMENDING SECTION 57-2004, IDAHO CODE, TO REVISE TERMINOLOGY; AMENDING SECTION 57-2005, IDAHO CODE, TO REVISE TERMINOLOGY AND TO MAKE A TECHNICAL CORRECTION; AMENDING SECTION 57-2006, IDAHO CODE, TO REVISE TERMINOLOGY AND TO MAKE TECHNICAL CORRECTIONS; AND AMENDING SECTION 57-2007, IDAHO CODE, TO REVISE TERMINOLOGY.

S 1330

BY HEALTH AND WELFARE COMMITTEE

AN ACT

RELATING TO ADMINISTRATORS OF RESIDENTIAL CARE OR ASSISTED LIVING FACILITIES; AMENDING SECTION 39-3321, IDAHO CODE, TO REVISE

QUALIFICATIONS FOR ADMINISTRATORS OF RESIDENTIAL CARE OR ASSISTED LIVING FACILITIES.

[S 1302](#), [S 1303](#), [S 1304](#), [S 1305](#), [S 1306](#), [S 1307](#), [S 1308](#), [S 1309](#), [S 1310](#), [S 1311](#), [S 1312](#), [S 1313](#), [S 1314](#), [S 1315](#), [S 1316](#), [S 1317](#), [S 1318](#), [S 1319](#), [S 1320](#), [S 1321](#), [S 1322](#), [S 1323](#), [S 1324](#), [S 1325](#), [S 1326](#), [S 1327](#), [S 1328](#), [S 1329](#), and [S 1330](#) were introduced, read the first time at length, and referred to the Judiciary and Rules Committee for printing.

[H 392](#), by Environment, Energy, and Technology Committee, was introduced, read the first time at length, and referred to the Resources and Environment Committee.

[H 352](#) and [H 353](#), by Health and Welfare Committee, were introduced, read the first time at length, and referred to the Health and Welfare Committee.

The Senate advanced to the Twelfth Order of Business.

Second Reading of Bills

[S 1251](#), by Judiciary and Rules Committee, was read the second time at length and filed for third reading.

[S 1225](#), by Health and Welfare Committee, was read the second time at length and filed for third reading.

[H 361](#) and [H 362](#), by Education Committee, were read the second time at length and filed for third reading.

[S 1267](#), by Agricultural Affairs Committee, was read the second time at length and filed for third reading.

[H 381](#) and [H 384](#), by Revenue and Taxation Committee, were read the second time at length and filed for third reading.

The Senate advanced to the Thirteenth Order of Business.

Third Reading of Bills

On request by Senator Schmidt, granted by unanimous consent, [S 1226](#) retained its place on the Third Reading Calendar for Monday, February 10, 2014.

On request by Senator Davis, granted by unanimous consent, the Senate advanced to the Fifteenth Order of Business.

Miscellaneous Business

On motion by Senator Davis, seconded by Senator Stennett, by voice vote, the Senate adjourned at 11:30 a.m. until the hour of 11 a.m., Monday, February 10, 2014.

BRENT HILL, President Pro Tempore

Attest: JENNIFER NOVAK, Secretary

SENATE JOURNAL

OF THE

IDAHO LEGISLATURE

SECOND REGULAR SESSION
SIXTY-SECOND LEGISLATURE

THIRTY-SIXTH LEGISLATIVE DAY
MONDAY, FEBRUARY 10, 2014

Senate Chamber

President Little called the Senate to order at 11 a.m.

Roll call showed all members present except Senator McKenzie, absent and formally excused by the Chair.

Prayer was offered by Chaplain Keith Buhler.

The Pledge of Allegiance was led by Anna Pietz, Page.

The Senate advanced to the Third Order of Business.

Reading and Correction of the Journal

The JUDICIARY AND RULES Committee reports that the Senate Journal of the proceedings of February 7, 2014, was read and approved as corrected.

LODGE, Chairman

There being no objection, the report was adopted and ordered filed in the office of the Secretary of the Senate.

On request by Senator Davis, granted by unanimous consent, the Senate advanced to the Fifth Order of Business.

Petitions, Resolutions, and Memorials

SJR 104 **BY STATE AFFAIRS COMMITTEE** A JOINT RESOLUTION

PROPOSING AN AMENDMENT TO SECTION 10, ARTICLE IX, OF THE CONSTITUTION OF THE STATE OF IDAHO, RELATING TO THE SALE OF UNIVERSITY LANDS; TO PROVIDE THAT NO UNIVERSITY LANDS SHALL BE SOLD FOR LESS THAN THE APPRAISED PRICE, RATHER THAN FOR NOT LESS THAN TEN DOLLARS PER ACRE; AND TO PROVIDE THAT UNIVERSITY LANDS BE SOLD IN SUBDIVISIONS NOT TO EXCEED THREE THOUSAND TWO HUNDRED ACRES PER YEAR, TO ANY ONE PERSON, COMPANY OR CORPORATION, RATHER THAN IN SUBDIVISIONS NOT TO EXCEED ONE HUNDRED AND SIXTY ACRES, TO ANY ONE PERSON, COMPANY OR CORPORATION; STATING THE QUESTION TO BE SUBMITTED TO THE ELECTORATE; DIRECTING THE LEGISLATIVE COUNCIL TO PREPARE THE STATEMENTS REQUIRED BY LAW; AND DIRECTING THE SECRETARY OF STATE TO PUBLISH THE AMENDMENT AND ARGUMENTS AS REQUIRED BY LAW.

SJR 105 **BY STATE AFFAIRS COMMITTEE** A JOINT RESOLUTION

PROPOSING AN AMENDMENT TO SECTION 8, ARTICLE IX, OF THE CONSTITUTION OF THE STATE OF IDAHO, RELATING TO THE LOCATION AND DISPOSITION OF PUBLIC LANDS; TO PROVIDE THAT THE LEGISLATURE SHALL PROVIDE BY LAW FOR THE SALE OR OTHER DISPOSITION OF THE GENERAL GRANTS OF LAND MADE BY CONGRESS TO THE STATE FROM TIME TO TIME, AND FOR THE SALE OF TIMBER ON ALL STATE LANDS, AT PUBLIC AUCTION OR THROUGH SUCH OTHER MEANS A PRUDENT INVESTOR WOULD USE WHILE CONSIDERING THE PURPOSES AND TERMS OF THE TRUST AND WHILE EXERCISING REASONABLE CARE, SKILL AND CAUTION, TO PROVIDE THAT THE PROCEEDS FROM ANY DISPOSITION OF LANDS SHALL BE FAITHFULLY APPLIED IN ACCORDANCE WITH THE TERMS OF THE GRANTS, AND TO PROVIDE THAT LAND IS TO BE SOLD IN SUBDIVISIONS OF NOT TO EXCEED SIX THOUSAND FOUR HUNDRED ACRES OF LAND TO ANY ONE INDIVIDUAL, COMPANY OR CORPORATION, RATHER THAN SOLD IN SUBDIVISIONS OF NOT TO EXCEED THREE HUNDRED AND TWENTY ACRES OF LAND TO ANY ONE INDIVIDUAL, COMPANY OR CORPORATION; STATING THE QUESTION TO BE SUBMITTED TO THE ELECTORATE; DIRECTING THE LEGISLATIVE COUNCIL TO PREPARE THE STATEMENTS REQUIRED BY LAW; AND DIRECTING THE SECRETARY OF STATE TO PUBLISH THE AMENDMENT AND ARGUMENTS AS REQUIRED BY LAW.

[SJR 104](#) and [SJR 105](#) were introduced, read the first time at length, and referred to the Judiciary and Rules Committee for printing.

The Senate advanced to the Sixth Order of Business.

Reports of Standing Committees

February 10, 2014

The JUDICIARY AND RULES Committee reports that [S 1302](#), [S 1303](#), [S 1304](#), [S 1305](#), [S 1306](#), [S 1307](#), [S 1308](#), [S 1309](#), [S 1310](#), [S 1311](#), [S 1312](#), [S 1313](#), [S 1314](#), [S 1315](#), [S 1316](#), [S 1317](#), [S 1318](#), [S 1319](#), [S 1320](#), [S 1321](#), [S 1322](#), [S 1323](#), [S 1324](#), [S 1325](#), [S 1326](#), [S 1327](#), [S 1328](#), [S 1329](#), and [S 1330](#) have been correctly printed.

LODGE, Chairman

[S 1302](#), [S 1303](#), [S 1304](#), [S 1305](#), [S 1306](#), [S 1307](#), [S 1308](#), and [S 1309](#) were referred to the Transportation Committee.

[S 1310](#), [S 1311](#), [S 1312](#), [S 1313](#), [S 1314](#), [S 1315](#), and [S 1316](#) were referred to the Commerce and Human Resources Committee.

[S 1317](#), [S 1318](#), [S 1319](#), [S 1320](#), [S 1321](#), [S 1322](#), [S 1323](#), [S 1324](#), [S 1325](#), [S 1326](#), and [S 1327](#) were referred to the Education Committee.

[S 1328](#), [S 1329](#), and [S 1330](#) were referred to the Health and Welfare Committee.

February 7, 2014

The FINANCE Committee reports out [S 1297](#) with the recommendation that it do pass.

CAMERON, Chairman

[S 1297](#) was filed for second reading.

February 10, 2014

The STATE AFFAIRS Committee reports out [S 1277](#) with the recommendation that it be re-referred.

MCKENZIE, Chairman

There being no objection, [S 1277](#) was referred to the Resources and Environment Committee.

On request by Senator Davis, granted by unanimous consent, the Senate advanced to the Ninth Order of Business.

Messages from the House

February 7, 2014

Dear Mr. President:

I transmit herewith [H 378](#), [H 357](#), [H 377](#), [H 379](#), and [H 429](#), which have passed the House.

ALEXANDER, Chief Clerk

[H 378](#), [H 357](#), [H 377](#), [H 379](#), and [H 429](#) were filed for first reading.

February 7, 2014

Dear Mr. President:

I transmit herewith Enrolled [H 375](#) for the signature of the President.

ALEXANDER, Chief Clerk

The President signed Enrolled [H 375](#) and ordered it returned to the House.

February 7, 2014

Dear Mr. President:

I return herewith Enrolled [S 1245](#), which has been signed by the Speaker.

ALEXANDER, Chief Clerk

Enrolled [S 1245](#) was referred to the Judiciary and Rules Committee for transmittal to the Office of the Governor.

The Senate advanced to the Tenth Order of Business.

Motions and Resolutions

The President announced that the Local Government and Taxation Committee report relative to the Gubernatorial reappointment of Ken Roberts was before the Senate for final consideration, the question being, "Shall the report be adopted?"

On motion by Senator Thayne, seconded by Senator Werk, the Gubernatorial reappointment of Ken Roberts as a member of the State Tax Commission was confirmed by voice vote.

The President declared the report adopted and directed the Secretary of the Senate to prepare a letter of the Gubernatorial reappointment confirmation for his signature, attested to by the Secretary, to be transmitted to the Governor informing him of the action of the Senate.

The Senate advanced to the Eleventh Order of Business.

Introduction, First Reading, and Reference of Bills, House Petitions, Resolutions, and Memorials

S 1331

BY JUDICIARY AND RULES COMMITTEE

AN ACT

RELATING TO THE IDAHO CRIMINAL JUSTICE SYSTEM; AMENDING CHAPTER 25, TITLE 19, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 19-2517, IDAHO CODE, TO REQUIRE THAT PRESENTENCE INVESTIGATION REPORTS INCLUDE INFORMATION RELATING TO RECIDIVISM RATES; AMENDING SECTION 19-2521, IDAHO CODE, TO REMOVE PROVISIONS RELATING TO THE COURT'S AUTHORITY TO PLACE A DEFENDANT ON PROBATION; AMENDING SECTION 19-2524, IDAHO CODE, TO PROVIDE THAT SUBSTANCE USE TREATMENT SHALL BE BASED UPON RISK ASSESSMENT WITH PRIORITY GIVEN TO CERTAIN PROBATIONERS, TO PROVIDE CERTAIN DUTIES OF THE DEPARTMENT OF HEALTH AND WELFARE RELATING TO MENTAL HEALTH EXAMINATIONS AND TREATMENT AND TO PROVIDE THAT DEFENDANTS SHALL PAY A CERTAIN FEE FOR MENTAL HEALTH EXAMINATIONS AND TREATMENTS; AMENDING SECTION 19-2601, IDAHO CODE, TO REVISE PROVISIONS RELATING TO THE SUSPENSION AND WITHHOLDING OF JUDGMENT, TO ESTABLISH PROVISIONS RELATING TO AN AGREEMENT OF SUPERVISION AND TO MAKE A TECHNICAL CORRECTION; AMENDING SECTION 19-2606, IDAHO CODE, TO REVISE PROVISIONS RELATING TO THE DUTY OF CERTAIN PERSONS TO REPORT TO THE COURT AND TO PROVIDE THAT THE COURT MAY MODIFY THE TERMS AND CONDITIONS OF A SUSPENDED SENTENCE AND MAY ORDER RETAINED JURISDICTION; AMENDING CHAPTER 2, TITLE 20, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 20-209H, IDAHO CODE, TO PROVIDE THE DUTY OF THE BOARD OF CORRECTION TO ESTABLISH INMATE ACCOUNTS AND TO PROVIDE FOR THE PAYMENT OF RESTITUTION FROM THE INMATE ACCOUNTS; AMENDING CHAPTER 2, TITLE 20, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 20-210A, IDAHO CODE, TO PROVIDE THE DUTIES AND POWERS OF THE COMMISSION OF PARDONS AND PAROLE; AMENDING SECTION 20-216, IDAHO CODE, TO PROVIDE REPORTING DUTIES OF THE BOARD OF CORRECTION AND THE DEPARTMENT OF HEALTH AND WELFARE AND TO DEFINE TERMS; AMENDING SECTION 20-219, IDAHO CODE, TO REVISE PROVISIONS RELATING TO THE BOARD OF CORRECTION'S SUPERVISION DUTIES, TO PROVIDE THAT THE BOARD OF CORRECTION MAY DETERMINE THE LEVEL OF SUPERVISION OF CERTAIN PERSONS AND TO PROVIDE AN EXCEPTION, TO PROVIDE ADDITIONAL REQUIREMENTS RELATING TO SUPERVISION, TO PROVIDE THAT THE BOARD OF CORRECTION SHALL PROVIDE ALL SUPERVISING OFFICERS WITH INITIAL AND ONGOING TRAINING AND TO PROVIDE THE TRAINING REQUIREMENTS, TO PROVIDE THAT THE BOARD OF CORRECTION

SHALL TRANSFER CERTAIN PROBATIONERS AND PAROLEES TO LIMITED SUPERVISION IF CERTAIN CRITERIA ARE SATISFIED, TO REQUIRE THE BOARD OF CORRECTION TO PROMULGATE CERTAIN RULES AND TO DEFINE TERMS; AMENDING SECTION 20-221, IDAHO CODE, TO REVISE PROVISIONS RELATING TO A REQUEST TO MODIFY THE TERMS OR CONDITIONS OF PROBATION, TO PROVIDE A PROCESS FOR ANY PARTY OR THE BOARD OF CORRECTION TO REQUEST THAT THE COURT MODIFY THE TERMS AND CONDITIONS OF PROBATION AND TO PROVIDE A PROCESS FOR ANY PARTY OR THE BOARD OF CORRECTION TO REQUEST THAT THE COURT TERMINATE PROBATION; AMENDING SECTION 20-222, IDAHO CODE, TO REMOVE PROVISIONS RELATING TO AN INDETERMINATE PERIOD OF PROBATION OR SUSPENSION OF A SENTENCE, TO PROVIDE THAT THE COURT SHALL CONSIDER THE DEFENDANT'S RISKS AND NEEDS AND OPTIONS FOR TREATMENT IN THE COMMUNITY WHEN MAKING CERTAIN DETERMINATIONS AND TO MAKE A TECHNICAL CORRECTION; AMENDING SECTION 20-223, IDAHO CODE, TO REMOVE ARCHAIC LANGUAGE, TO REVISE PROVISIONS RELATING TO PAROLE AND RULES GOVERNING PAROLE, TO REQUIRE CERTAIN PRISONERS TO BE RELEASED ON PAROLE AFTER SERVING A CERTAIN MINIMUM PERIOD OF CONFINEMENT UNLESS THE COMMISSION MAKES A CERTAIN FINDING, TO PROVIDE THAT THE COMMISSION SUBMIT A CERTAIN REPORT, TO DEFINE A TERM AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 20-224, IDAHO CODE, TO REQUIRE THAT THE BOARD OF CORRECTION USE A VALIDATED RISK ASSESSMENT TO DETERMINE THE RISK OF REOFFENSE AND SUITABILITY FOR RELEASE, TO DEFINE A TERM AND TO PROVIDE CERTAIN RULEMAKING RESPONSIBILITIES OF THE COMMISSION ON PARDONS AND PAROLE; AMENDING SECTION 20-227, IDAHO CODE, TO SPECIFY THAT CERTAIN PROVISIONS APPLY WHERE THE COURT HAS PROVIDED FOR THE SERVICE OF DISCRETIONARY JAIL TIME AS A TERM OR CONDITION OF PROBATION, TO REQUIRE THAT THE SUPERVISING OFFICER PROVIDE CERTAIN INFORMATION TO THE PROSECUTING ATTORNEY, TO PROVIDE THAT THE SUPERVISING OFFICER SUBMIT A STATEMENT OF PROBABLE CAUSE WITHIN A CERTAIN PERIOD OF TIME TO THE COURT, TO THE PROSECUTING ATTORNEY AND TO THE FACILITY WHERE THE PROBATIONER IS DETAINED AND TO REQUIRE THE RELEASE OF A PRISONER IF A JUDICIAL DETERMINATION OF PROBABLE CAUSE IS NOT MADE WITHIN A CERTAIN PERIOD OF TIME AND TO MAKE A TECHNICAL CORRECTION; AMENDING SECTION 20-228, IDAHO CODE, TO ESTABLISH PROVISIONS RELATING TO AN AGREEMENT OF SUPERVISION, TO PROVIDE A CODE REFERENCE TO A CERTAIN EXCEPTION AND TO MAKE A TECHNICAL CORRECTION; AMENDING SECTION 20-229A, IDAHO CODE, TO REVISE PROVISIONS RELATING TO THE RESULT OF AN ACCEPTANCE OF A CERTAIN HEARING WAIVER AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 20-229B, IDAHO CODE, TO REVISE PROVISIONS RELATING TO A PAROLE REVOCATION HEARING AND TO ESTABLISH ADDITIONAL PROVISIONS RELATING TO COMMISSION OF PARDONS AND PAROLE RULINGS RELATING TO PAROLE HEARINGS;

AMENDING SECTION 20-233, IDAHO CODE, TO PROVIDE A PROCESS FOR THE BOARD OF CORRECTION TO SUBMIT A REQUEST TO THE COMMISSION OF PARDONS AND PAROLE FOR AN ORDER OF FINAL DISCHARGE FROM THE REMAINING PERIOD OF PAROLE FOR CERTAIN PAROLEES; AMENDING SECTION 19-2513, IDAHO CODE, TO PROVIDE CORRECT CODE REFERENCES AND TO MAKE TECHNICAL CORRECTIONS; AMENDING CHAPTER 2, TITLE 20, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 20-250, IDAHO CODE, TO PROVIDE DEPARTMENT OF CORRECTION REPORTING REQUIREMENTS; AND PROVIDING EFFECTIVE DATES.

S 1332

BY STATE AFFAIRS COMMITTEE AN ACT

RELATING TO FIREARMS; PROVIDING A SHORT TITLE; PROVIDING LEGISLATIVE INTENT; AMENDING CHAPTER 33, TITLE 18, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 18-3315B, IDAHO CODE, TO PROVIDE CERTAIN PROHIBITED ACTS REGARDING FIREARMS BY PUBLIC EMPLOYEES AND OFFICERS OF GOVERNMENTAL ENTITIES, TO PROVIDE PENALTIES, TO ESTABLISH THAT CERTAIN LAWS ARE UNENFORCEABLE IN IDAHO BY STATE AND LOCAL GOVERNMENT OFFICIALS, AGENTS OR EMPLOYEES AND TO DEFINE A TERM; PROVIDING SEVERABILITY; AND DECLARING AN EMERGENCY.

S 1333

BY STATE AFFAIRS COMMITTEE AN ACT

RELATING TO PUBLIC WORKS; AMENDING SECTION 44-1001, IDAHO CODE, TO PROVIDE THAT IN WORK INVOLVING THE EXPENDITURE OF FEDERAL AID FUNDS, SPECIFIED LAW SHALL NOT BE ENFORCED IN SUCH A MANNER AS TO CONFLICT WITH OR BE CONTRARY TO THE FEDERAL STATUTES PRESCRIBING A LABOR PREFERENCE TO HONORABLY DISCHARGED MEMBERS OF THE UNITED STATES ARMED FORCES, INCLUDING AIRMEN.

S 1334

BY STATE AFFAIRS COMMITTEE AN ACT

RELATING TO MINIMUM WAGES; AMENDING SECTION 44-1502, IDAHO CODE, TO REVISE PROVISIONS RELATING TO MINIMUM WAGES, TO ESTABLISH PROVISIONS RELATING TO A WAGE OF EIGHT DOLLARS AND FIFTY CENTS PER HOUR, TO ESTABLISH PROVISIONS RELATING TO A WAGE OF NINE DOLLARS AND SEVENTY-FIVE CENTS PER HOUR, TO ESTABLISH PROVISIONS TO CALCULATE THE ADJUSTED MINIMUM WAGE RATE IN PROPORTION TO AN INCREASE OR DECREASE IN A CERTAIN INDEX, TO REVISE PROVISIONS RELATING TO DETERMINING THE WAGE OF A TIPPED EMPLOYEE, TO ESTABLISH PROVISIONS RELATING TO A WAGE OF THREE DOLLARS AND EIGHTY CENTS PER HOUR, TO ESTABLISH PROVISIONS RELATING TO A WAGE OF FOUR DOLLARS AND TWENTY-FIVE CENTS PER HOUR, TO ESTABLISH PROVISIONS RELATING TO CALCULATING THE ADJUSTED MINIMUM WAGE RATE IN PROPORTION TO AN INCREASE OR DECREASE IN A CERTAIN INDEX, TO PROVIDE THAT AN EMPLOYER MAY PAY AN

EMPLOYEE WHO HAS NOT ATTAINED EIGHTEEN YEARS OF AGE A CERTAIN WAGE, TO PROVIDE THAT AFTER A CERTAIN PERIOD, NO EMPLOYER SHALL PAY CERTAIN EMPLOYEES A WAGE AT A RATE LESS THAN THE ADJUSTED MINIMUM WAGE AND TO MAKE TECHNICAL CORRECTIONS.

S 1335
BY STATE AFFAIRS COMMITTEE
AN ACT

RELATING TO ALCOHOLIC BEVERAGES; AMENDING CHAPTER 5, TITLE 23, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 23-509A, IDAHO CODE, TO DEFINE A TERM, TO AUTHORIZE MANUFACTURERS OF DISTILLED SPIRITS TO OFFER SAMPLE TASTINGS ON THEIR PREMISES, TO PROHIBIT A MANUFACTURER FROM CHARGING FOR SAMPLES, TO PROVIDE FOR THE SIZE OF SAMPLES, TO PROVIDE THE MAXIMUM NUMBER OF SAMPLES IN A TWENTY-FOUR HOUR PERIOD, TO PROVIDE THE REQUIRED AGE FOR SERVERS, TO PROHIBIT THE SERVING OF SAMPLES TO ANYONE UNDER THE LEGAL DRINKING AGE AND TO PROVIDE THAT SAMPLES SHALL BE PURCHASED FROM THE STATE LIQUOR DIVISION AND TAXES SHALL BE PAID BY THE MANUFACTURER.

S 1336
BY STATE AFFAIRS COMMITTEE
AN ACT

RELATING TO LEGISLATIVE STANDING; AMENDING CHAPTER 3, TITLE 5, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 5-343, IDAHO CODE, TO PROVIDE A TITLE, TO PROVIDE A PURPOSE, TO PROVIDE FOR LEGISLATIVE STANDING TO PARTICIPATE IN LAWSUITS, TO PROVIDE A PROCEDURE, TO PROVIDE FOR INDEMNIFICATION AND TO PROVIDE FOR THE EFFECT OF A VACANCY IN SPECIFIED OFFICES ON INTERVENTION.

[S 1331](#), [S 1332](#), [S 1333](#), [S 1334](#), [S 1335](#), and [S 1336](#) were introduced, read the first time at length, and referred to the Judiciary and Rules Committee for printing.

[H 378](#), by Education Committee, was introduced, read the first time at length, and referred to the State Affairs Committee.

[H 357](#), by Health and Welfare Committee, was introduced, read the first time at length, and referred to the Health and Welfare Committee.

[H 377](#), by Revenue and Taxation Committee, was introduced, read the first time at length, and referred to the Local Government and Taxation Committee.

[H 379](#) and [H 429](#), by Education Committee, were introduced, read the first time at length, and referred to the Education Committee.

The Senate advanced to the Twelfth Order of Business.

Second Reading of Bills

[S 1241](#), by Local Government and Taxation Committee, was read the second time at length and filed for third reading.

The Senate advanced to the Thirteenth Order of Business.

Third Reading of Bills

On request by Senator Schmidt, granted by unanimous consent, [S 1226](#) was referred to the Fourteenth Order of Business, General Calendar.

[S 1261](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Martin arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Bair, Bayer, Bock, Brackett, Buckner-Webb, Cameron, Davis, Fulcher, Goedde, Guthrie, Hagedorn, Heider, Hill, Johnson, Keough, Lacey, Lakey, Lodge, Martin, Mortimer, Nonini, Nuxoll, Patrick, Pearce, Rice, Schmidt, Siddoway, Stennett, Thayn, Tippetts, Vick, Ward-Engelking, Werk, Winder. Total - 34.

NAYS—None.

Absent and excused—McKenzie. Total - 1.

Total - 35.

Whereupon the President declared [S 1261](#) passed, title was approved, and the bill ordered transmitted to the House.

[S 1262](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Hagedorn arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Bock, Brackett, Buckner-Webb, Cameron, Davis, Hagedorn, Heider, Hill, Lacey, Lakey, Lodge, Patrick, Schmidt, Stennett, Ward-Engelking, Werk. Total - 16.

NAYS—Bair, Bayer, Fulcher, Goedde, Guthrie, Johnson, Keough, Martin, Mortimer, Nonini, Nuxoll, Pearce, Rice, Siddoway, Thayn, Tippetts, Vick, Winder. Total - 18.

Absent and excused—McKenzie. Total - 1.

Total - 35.

Whereupon the President declared that [S 1262](#) had failed to pass the Senate and ordered the bill filed in the office of the Secretary of the Senate.

[S 1228](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Mortimer arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Bair, Bayer, Bock, Brackett, Buckner-Webb, Cameron, Davis, Fulcher, Goedde, Guthrie, Hagedorn, Heider, Hill, Johnson, Keough, Lacey, Lakey, Lodge, Martin, Mortimer, Nonini, Nuxoll, Patrick, Pearce, Rice, Schmidt, Siddoway, Stennett, Thayn, Tippetts, Vick, Ward-Engelking, Werk, Winder. Total - 34.

NAYS—None.

Absent and excused—McKenzie. Total - 1.

Total - 35.

Whereupon the President declared [S 1228](#) passed, title was approved, and the bill ordered transmitted to the House.

[S 1204](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Martin arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Bair, Bayer, Bock, Brackett, Buckner-Webb, Cameron, Davis, Fulcher, Goedde, Guthrie, Hagedorn, Heider, Hill, Johnson, Keough, Lacey, Lakey, Lodge, Martin, Mortimer, Nonini, Nuxoll, Patrick, Pearce, Rice, Schmidt, Siddoway, Stennett, Thayne, Tippets, Vick, Ward-Engelking, Werk, Winder. Total - 34.

NAYS—None.

Absent and excused—McKenzie. Total - 1.

Total - 35.

Whereupon the President declared [S 1204](#) passed, title was approved, and the bill ordered transmitted to the House.

[S 1205](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Ward-Engelking arose as sponsor of the bill and opened the debate.

On request by Senator Davis, granted by unanimous consent, the Senate advanced to the Fourteenth Order of Business.

General Calendar

The President declared the Senate resolved into the Committee of the Whole and called Senator Winder to the Chair to preside during the sitting of the Committee of the Whole.

Following the adjournment of the Committee of the Whole, the President called the Senate to order.

Report of the Committee of the Whole

Senator Winder, Chairman of the Committee of the Whole, reported out [H 369](#), [S 1240](#), and [S 1224](#), without recommendation, amended as follows:

SENATE AMENDMENT TO H 369

AMENDMENT TO SECTION 1

On page 1 of the printed bill, delete lines 10 through 13, and insert: "treated as a resident estate if the decedent was a resident of Idaho on the date of death.".

AMENDMENT TO THE BILL

On page 2, delete lines 10 through 12.

CORRECTION TO TITLE

On page 1, delete lines 4 and 5, and insert: "A TECHNICAL CORRECTION."

SENATE AMENDMENT TO S 1240

AMENDMENT TO SECTION 1

On page 1 of the printed bill, in line 17, following "Absent" insert: "consent or".

CORRECTION TO TITLE

On page 1, in line 3, following "ABSENT" insert: "CONSENT OR".

SENATE AMENDMENT TO S 1224

AMENDMENT TO SECTION 2

On page 2 of the printed bill, in line 22, delete "hereinafter referred to as behavioral health. These" and insert: "acknowledging that these".

AMENDMENT TO SECTION 3

On page 3, in line 1, delete "a person's over-"; and delete lines 2 through 6, and insert: "an integrated system for evaluation and treatment of mental health and substance use disorders."

AMENDMENT TO SECTION 5

On page 3, in line 17, delete "by the executive branch of Idaho's government,"; and in line 23, delete "wherever" and insert: "whenever reasonably".

The Committee also has [S 1247](#), [S 1233](#), [S 1265](#), and [S 1226](#) under consideration, reports progress, and begs leave to sit again.

WINDER, Chairman

On motion by Senator Winder, seconded by Senator Stennett, the report was adopted by voice vote.

[S 1240](#), as amended, and [S 1224](#), as amended, were referred to the Judiciary and Rules Committee for engrossing and the amendments thereto were referred to the Judiciary and Rules Committee for printing.

[H 369](#), as amended in the Senate, was filed for first reading as amended, and the amendments thereto were referred to the Judiciary and Rules Committee for printing.

On request by Senator Davis, granted by unanimous consent, the Senate returned to the Fifth Order of Business.

Petitions, Resolutions, and Memorials

On motion by Senator Davis, seconded by Senator Stennett, by voice vote the Senate recessed at 12:10 p.m. until the hour of 4 p.m. of this day.

RECESS

AFTERNOON SESSION

The Senate reconvened at 4 p.m., pursuant to recess, President Little presiding.

Roll call showed all members present except President Pro Tempore Hill and Senators Buckner-Webb, Fulcher, Goedde, Mortimer, Nonini, Patrick, Pearce, Thayne, and Ward-Engelking, absent and formally excused by the Chair.

Prior to recess the Senate was at the Fifth Order of Business, Petitions, Resolutions, and Memorials.

SCR 135

BY HEALTH AND WELFARE COMMITTEE

A CONCURRENT RESOLUTION

STATING LEGISLATIVE FINDINGS AND ENCOURAGING COMPANIES TO AVOID SUBSTANCES LIKELY TO BE HARMFUL AND SUBSTITUTE SAFER ALTERNATIVES WHENEVER FEASIBLE IN HOUSEHOLD PRODUCTS, ESPECIALLY THOSE LIKELY TO BE USED BY PREGNANT WOMEN AND CHILDREN.

Be It Resolved by the Legislature of the State of Idaho:

WHEREAS, society has an interest in reducing the exposure of pregnant women, children and other vulnerable populations to known toxic substances; and

WHEREAS, more than thirty years of environmental health studies have led to a growing consensus that toxic substances are playing a role in the incidence and prevalence of many diseases and disorders; and

WHEREAS, increases in cancer, birth defects and difficulty in conceiving and maintaining a pregnancy have all been linked to exposure to toxic substances; and

WHEREAS, a fetus is particularly vulnerable to the impacts of toxic substances; and

WHEREAS, such substances include phthalates, mercury, perfluorinated compounds, bisphenol A and the flame retardant tetrabromobisphenol A; and

WHEREAS, these same substances have been found to be present in human blood, human breast milk and drinking water and have been added to consumer products used in the home, child care facilities and schools; and

WHEREAS, some Idaho companies are already committed to manufacturing their products using naturally safer substances.

NOW, THEREFORE, BE IT RESOLVED by the members of the Second Regular Session of the Sixty-second Idaho Legislature, the Senate and the House of Representatives concurring therein, that we encourage companies to avoid substances likely to be harmful and substitute safer alternatives whenever feasible in household products, especially those likely to be used by pregnant women and children.

BE IT FURTHER RESOLVED that we commend those Idaho companies voluntarily disclosing, reducing or avoiding entirely substances likely to be harmful.

[SCR 135](#) was introduced, read at length, and referred to the Judiciary and Rules Committee for printing.

The Senate advanced to the Sixth Order of Business.

Reports of Standing Committees

February 10, 2014

The JUDICIARY AND RULES Committee reports that Senate amendments to [H 369](#), [S 1240](#), and [S 1224](#) have been correctly printed.

LODGE, Chairman

The report was ordered filed in the office of the Secretary of the Senate.

February 10, 2014

The JUDICIARY AND RULES Committee reports that [S 1240](#), as amended, and [S 1224](#), as amended, have been correctly engrossed.

LODGE, Chairman

[S 1240](#), as amended, and [S 1224](#), as amended, were filed for first reading.

On request by Senator Davis, granted by unanimous consent, the Senate advanced to the Ninth Order of Business.

Messages from the House

February 10, 2014

Dear Mr. President:

I transmit herewith Enrolled [H 385](#) for the signature of the President.

ALEXANDER, Chief Clerk

The President signed Enrolled [H 385](#) and ordered it returned to the House.

On request by Senator Davis, granted by unanimous consent, the Senate advanced to the Eleventh Order of Business.

Introduction, First Reading, and Reference of Bills, House Petitions, Resolutions, and Memorials

S 1337

BY AGRICULTURAL AFFAIRS COMMITTEE

AN ACT

RELATING TO AGRICULTURE; AMENDING CHAPTER 70, TITLE 18, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 18-7042, IDAHO CODE, TO PROVIDE FOR THE CRIME OF INTERFERENCE WITH AGRICULTURAL PRODUCTION, TO DEFINE TERMS, TO PROVIDE FOR VIOLATIONS AND PENALTIES AND TO PROVIDE FOR RESTITUTION; PROVIDING SEVERABILITY; AND DECLARING AN EMERGENCY.

S 1338

BY AGRICULTURAL AFFAIRS COMMITTEE

AN ACT

RELATING TO DAIRY PRODUCTS; AMENDING SECTION 37-301, IDAHO CODE, TO REMOVE PROVISIONS RELATING TO THE MAINTENANCE OF NAMES OF CERTAIN DAIRYMEN AND TO PROVIDE A STATEMENT OF PURPOSE; AMENDING SECTION 37-302, IDAHO CODE, TO PROVIDE FOR INSPECTIONS, TO PROVIDE THAT INSPECTIONS SHALL ASCERTAIN AND CERTIFY SANITARY CONDITIONS AND MILK QUALITY, TO AUTHORIZE THE DIRECTOR OF THE DEPARTMENT OF AGRICULTURE TO DESIGNATE AGENTS TO PERFORM CERTAIN DUTIES, TO PROVIDE FOR SANITARY INSPECTIONS, TO PROVIDE THAT INSPECTIONS, EXAMINATIONS AND TESTS SHALL MEET REQUIREMENTS OF STATE AND FEDERAL LAW, TO PROVIDE THAT DESIGNATED AGENTS MAY ENTER PREMISES AND BUILDINGS FOR INSPECTIONS, TO PROVIDE FOR FEES OR ASSESSMENTS ASSOCIATED WITH INSPECTIONS AND TO PROVIDE FOR THE DAIRY INDUSTRY AND INSPECTION FUND; AMENDING CHAPTER 3, TITLE 37, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 37-303, IDAHO CODE, TO AUTHORIZE RULEMAKING AND ENFORCEMENT BY THE DIRECTOR OF THE DEPARTMENT OF AGRICULTURE, TO PROVIDE THAT CERTAIN MILK, CREAM AND MANUFACTURED DAIRY PRODUCTS SHALL COMPLY WITH SPECIFIED LAW AND TO PROVIDE STANDARDS RELATING TO THE SANITATION OF MILK AND CREAM; AMENDING CHAPTER 3, TITLE 37, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 37-304, IDAHO CODE, TO PROVIDE FOR THE ISSUANCE OF PERMITS, TO SPECIFY REQUIREMENTS FOR THE ISSUANCE OF PERMITS TO NEW OR EXPANDING DAIRY FARMS, TO DEFINE TERMS, TO PROVIDE FOR EXAMINATION, INSPECTION AND REPORTS OF FINDINGS AND CONCLUSIONS BY THE DIRECTOR AND TO PROVIDE THAT THE ISSUANCE OR REVOCATION OF LICENSES OR PERMITS SHALL BE BASED UPON THE REPORT OR REPORTS OF THE DIRECTOR; AMENDING CHAPTER 3, TITLE 37, IDAHO CODE, BY THE ADDITION OF A NEW SECTION

37-305, IDAHO CODE, TO AUTHORIZE THE DIRECTOR TO BRING CIVIL ACTIONS FOR ENFORCEMENT OF SPECIFIED LAW; REPEALING SECTION 37-306, IDAHO CODE, RELATING TO MILK-BOTTLING PLACES; AMENDING CHAPTER 3, TITLE 37, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 37-306, IDAHO CODE, TO AUTHORIZE THE DEPARTMENT OF AGRICULTURE TO ADVISE, ASSIST AND COOPERATE WITH THE FEDERAL GOVERNMENT, AGENCIES AND OTHER ENTITIES IN THE EXERCISE OF ITS POWERS AND DUTIES UNDER SPECIFIED LAW; AMENDING CHAPTER 3, TITLE 37, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 37-307, IDAHO CODE, TO DEFINE TERMS RELATING TO MILK HAULERS AND TANKS; REPEALING SECTION 37-308, IDAHO CODE, RELATING TO THE BOTTLING AND PACKAGING OF MILK; AMENDING CHAPTER 3, TITLE 37, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 37-308, IDAHO CODE, TO PROVIDE STANDARDS FOR TRANSPORTATION TANKS; AMENDING CHAPTER 3, TITLE 37, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 37-309, IDAHO CODE, TO PROVIDE STANDARDS RELATING TO MILK HAULERS AND THE OPERATION OF TRANSPORTATION TANKS; REPEALING SECTION 37-310, IDAHO CODE, RELATING TO EMPTY BOTTLES FROM QUARANTINED PREMISES; AMENDING CHAPTER 3, TITLE 37, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 37-310, IDAHO CODE, TO PROVIDE STANDARDS RELATING TO QUALITY CONTROL OF MILK SAMPLES TAKEN FROM TANKS; REPEALING SECTION 37-313, IDAHO CODE, RELATING TO THE PROHIBITION OF THE SALE OF DILUTED MILK; REPEALING SECTION 37-314, IDAHO CODE, RELATING TO ADULTERATED MILK; REPEALING SECTION 37-315, IDAHO CODE, RELATING TO MILKMEN AFFLICTED WITH DISEASE; REPEALING SECTION 37-316, IDAHO CODE, RELATING TO THE SALE OF MILK FROM INFECTED PREMISES; REPEALING SECTION 37-317, IDAHO CODE, RELATING TO THE REQUIREMENT THAT MILK BE COOLED; REPEALING SECTION 37-322, IDAHO CODE, RELATING TO STANDARDS FOR CREAM; REPEALING SECTION 37-324, IDAHO CODE, RELATING TO PENALTIES FOR VIOLATIONS; AMENDING SECTION 37-325, IDAHO CODE, TO REDESIGNATE THE SECTION, TO REMOVE CERTAIN REPORTING PROVISIONS RELATING TO CREAMERIES, CHEESE FACTORIES AND MILK DAIRIES, TO REMOVE PROVISIONS RELATING TO THE ATTACHMENT OF TAGS REFLECTING CAPACITY, TO REMOVE CERTAIN VIOLATION PROVISIONS AND TO PROVIDE THAT CERTAIN MILK PROCESSORS, COOPERATIVES AND ORGANIZATIONS SHALL PROVIDE FULL AND ACCURATE ACCOUNTS OF AMOUNTS OF MILK PURCHASED AND VOLUME OF DAIRY PRODUCTS PROCESSED; REPEALING SECTION 37-326, IDAHO CODE, RELATING TO STANDARDS FOR DAIRY PRODUCTS; REPEALING SECTION 37-330, IDAHO CODE, RELATING TO PENALTIES FOR VIOLATIONS OF SPECIFIED LAW; AMENDING SECTION 37-332, IDAHO CODE, TO REDESIGNATE THE SECTION, TO MAKE TECHNICAL CORRECTIONS AND TO MAKE A CODIFIER CORRECTION; AMENDING SECTION 37-332a, IDAHO CODE, TO REDESIGNATE THE SECTION, TO REMOVE CERTAIN GRADING PROVISIONS AND TO PROVIDE THAT GRADES OF BUTTER SHALL COMPLY WITH SPECIFIED STANDARDS; AMENDING SECTION 37-332b, IDAHO CODE, TO REDESIGNATE THE SECTION, TO REMOVE CERTAIN VIOLATIONS, GRADE AND

EXCEPTION PROVISIONS RELATING TO BUTTER, TO PROVIDE FOR THE REJECTION OF CERTAIN BUTTER AND TO PROVIDE FOR THE RELABELING, REGRADING AND REPROCESSING OF CERTAIN REJECTED BUTTER; REPEALING SECTION 37-332c, IDAHO CODE, RELATING TO BUTTER GRADERS, WRAPPERS AND GRADE EMBLEMS; REPEALING SECTION 37-332d, IDAHO CODE, RELATING TO THE LICENSING OF BUTTER GRADERS; REPEALING SECTION 37-332e, IDAHO CODE, RELATING TO THE REVOCATION OR SUSPENSION OF LICENSES; REPEALING SECTION 37-332f, IDAHO CODE, RELATING TO ENFORCEMENT; REPEALING SECTION 37-332g, IDAHO CODE, RELATING TO VIOLATIONS; REPEALING SECTION 37-332h, IDAHO CODE, RELATING TO THE DEPOSIT OF FEES AND FINES INTO THE DAIRY INDUSTRY AND INSPECTION FUND; REPEALING SECTION 37-333, IDAHO CODE, RELATING TO THE DISPLAY OF THE WEIGHT OF BUTTER; AMENDING SECTION 37-334, IDAHO CODE, TO REDESIGNATE THE SECTION AND TO MAKE A TECHNICAL CORRECTION; AMENDING SECTION 37-334a, IDAHO CODE, TO REDESIGNATE THE SECTION, TO REVISE CODE REFERENCES AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 37-334d, IDAHO CODE, TO REDESIGNATE THE SECTION; AMENDING SECTION 37-334e, IDAHO CODE, TO REDESIGNATE THE SECTION, TO REVISE CODE REFERENCES AND TO MAKE A TECHNICAL CORRECTION; AMENDING SECTION 37-335, IDAHO CODE, TO REDESIGNATE THE SECTION AND TO REVISE CODE REFERENCES; REPEALING SECTION 37-338, IDAHO CODE, RELATING TO ADMINISTRATION BY THE DEPARTMENT OF AGRICULTURE; REPEALING SECTION 37-339, IDAHO CODE, RELATING TO THE DESIGNATION OF BREED NAME OF DAIRY CATTLE ON LABELS; REPEALING SECTION 37-340, IDAHO CODE, RELATING TO THE UNLAWFUL USE OF BREED NAMES ON LABELS; REPEALING SECTION 37-341, IDAHO CODE, RELATING TO ADMINISTRATION AND ENFORCEMENT; REPEALING SECTION 37-342, IDAHO CODE, RELATING TO VIOLATIONS; AND REPEALING SECTION 37-343, IDAHO CODE, RELATING TO INJUNCTION PROCEEDINGS.

S 1339

BY TRANSPORTATION COMMITTEE

AN ACT

RELATING TO LICENSE PLATES; AMENDING SECTION 49-403A, IDAHO CODE, TO PROVIDE FOR A DISABILITY SYMBOL ON A PURPLE HEART RECIPIENT LICENSE PLATE; AND AMENDING CHAPTER 4, TITLE 49, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 49-403C, IDAHO CODE, TO ESTABLISH A PURPLE HEART RECIPIENT MOTORCYCLE LICENSE PLATE PROGRAM.

S 1340

BY JUDICIARY AND RULES COMMITTEE

AN ACT

RELATING TO CIVIL ACTIONS; AMENDING SECTION 5-337, IDAHO CODE, TO REMOVE REFERENCE TO PRESCRIPTIONS FOR DEFIBRILLATORS, TO REMOVE A PROVISION RELATING TO THE INVOLVEMENT OF A PHYSICIAN IN THE OWNER'S PROGRAM FOR A DEFIBRILLATOR AND TO REMOVE REFERENCES TO OSTEOPATHS.

S 1341**BY JUDICIARY AND RULES COMMITTEE****AN ACT**

RELATING TO THE IDAHO CRIMINAL GANG ENFORCEMENT ACT; AMENDING SECTION 18-8503, IDAHO CODE, TO REVISE PROVISIONS RELATING TO THE IMPOSITION OF A CERTAIN EXTENDED PENALTY.

S 1342**BY EDUCATION COMMITTEE****AN ACT**

RELATING TO SCHOOL DISTRICTS; AMENDING SECTION 33-513, IDAHO CODE, TO PROVIDE FOR RECORD AUGMENTATION ON APPEAL AND TO PROVIDE FOR A SUPERINTENDENT OR OTHER DESIGNEE'S ONGOING AUTHORITY TO PLACE A CERTIFICATED EMPLOYEE ON INVOLUNTARY LEAVE.

S 1343**BY EDUCATION COMMITTEE****AN ACT**

RELATING TO CURRICULUM AND TESTING IN THE PUBLIC SCHOOLS; AMENDING CHAPTER 1, TITLE 33, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 33-118B, IDAHO CODE, TO PROVIDE THAT THE LEGISLATURE MUST RATIFY BY STATUTE ANY AGREEMENT AMONG THE STATE BOARD OF EDUCATION OR THE STATE DEPARTMENT OF EDUCATION AND ANY MULTISTATE CONSORTIUM OR THE FEDERAL GOVERNMENT CONCERNING TESTING OF IDAHO STUDENTS IN GRADES K-12, CURRICULUM OR STANDARDS AND SHARING OF INDIVIDUAL STUDENT DATA GENERATED BY ANY PART OF THE IDAHO K-12 EDUCATIONAL SYSTEM AND TO PROVIDE AN EXCEPTION FOR CERTAIN TESTS.

S 1344**BY RESOURCES AND ENVIRONMENT COMMITTEE****AN ACT**

RELATING TO FLOOD CONTROL; AMENDING SECTION 42-3103, IDAHO CODE, TO DEFINE TERMS; AMENDING SECTION 42-3114, IDAHO CODE, TO REVISE COMPENSATION AND REIMBURSEMENT PROVISIONS FOR FLOOD CONTROL DISTRICT COMMISSIONERS; AMENDING SECTION 42-3115, IDAHO CODE, TO REVISE AND TO PROVIDE FOR CERTAIN POWERS AND DUTIES OF COMMISSIONERS AND TO MAKE TECHNICAL CORRECTIONS; AMENDING CHAPTER 31, TITLE 42, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 42-3116, IDAHO CODE, TO REQUIRE FLOOD CONTROL DISTRICTS TO OBTAIN APPROVAL OF THE DIRECTOR OF THE IDAHO DEPARTMENT OF WATER RESOURCES IN THE EVENT ACTIVITIES AND OPERATIONS OF THE DISTRICT WILL ALTER A STREAM CHANNEL AND TO PROVIDE THAT UNDER CERTAIN CIRCUMSTANCES A STREAM CHANNEL ALTERATION PERMIT WILL NOT BE REQUIRED PROVIDED SPECIFIED CONDITIONS ARE MET; AMENDING SECTION 46-1021, IDAHO CODE, TO REVISE A DEFINITION AND TO MAKE A TECHNICAL CORRECTION; AND AMENDING SECTION 46-1022, IDAHO CODE, TO PROVIDE THAT LOCAL GOVERNMENT APPROVAL SHALL NOT BE REQUIRED IF A FLOOD CONTROL DISTRICT IS CONDUCTING A FLOOD FIGHT UNDER CERTAIN CONDITIONS AND TO MAKE TECHNICAL CORRECTIONS.

S 1345**BY RESOURCES AND ENVIRONMENT COMMITTEE****AN ACT**

RELATING TO WATER; AMENDING SECTION 42-201, IDAHO CODE, TO REVISE EXEMPTION PROVISIONS RELATING TO THE RELEASE AND DIVERSION OF WATER, TO PROVIDE FOR RELEASES AND DIVERSIONS FROM NATURAL WATERCOURSES, STORAGE RESERVOIRS AND CANALS FOR DESIGNATED PURPOSES, TO PROVIDE FOR COORDINATION WITH OWNERS RELATING TO SPECIFIED DIVERSIONS AND RELEASES, TO PROVIDE FOR RELEASES AND DIVERSIONS FROM NATURAL WATERCOURSES FOR DESIGNATED PURPOSES, TO PROHIBIT CERTAIN DIVERSIONS UNDER SPECIFIED CONDITIONS, TO PROVIDE FOR RELEASES AND DIVERSIONS FOR FLOOD CONTROL, TO REMOVE A PROVISION RELATING TO A PROHIBITION OF DIVERSION UNDER SPECIFIED CIRCUMSTANCES AND TO PROVIDE THAT CERTAIN DIVERSIONS AND RELEASES OF WATER SHALL NOT BE ATTRIBUTED OR CHARGED TO THE SATISFACTION OF A WATER RIGHT UNLESS SPECIFIC CONDITIONS EXIST.

S 1346**BY RESOURCES AND ENVIRONMENT COMMITTEE****AN ACT**

RELATING TO STATE LANDS AND THE PARK AND RECREATION BOARD; AMENDING SECTION 67-4201, IDAHO CODE, TO PROVIDE AN EXCEPTION RELATING TO LENGTHS OF LEASES OF CERTAIN LANDS FOR LEASES OF FLOAT HOME MOORAGE SITES, TO PROVIDE A CORRECT BOARD REFERENCE AND TO REMOVE AND REVISE ARCHAIC VERBIAGE.

S 1347**BY HEALTH AND WELFARE COMMITTEE****AN ACT**

RELATING TO THE INDIGENT SICK; AMENDING SECTION 31-863, IDAHO CODE, TO REVISE THE LIMIT ON AN AD VALOREM TAX AND TO REMOVE REFERENCE TO THE MEDICALLY INDIGENT; AMENDING SECTION 31-3302, IDAHO CODE, TO REMOVE REFERENCE TO THE INDIGENT SICK; REPEALING SECTION 31-3501, IDAHO CODE, RELATING TO DECLARATION OF POLICY; REPEALING SECTION 31-3502, IDAHO CODE, RELATING TO DEFINITIONS; AMENDING SECTION 31-3503, IDAHO CODE, TO REMOVE REFERENCE TO SERVICES FOR THE MEDICALLY INDIGENT; REPEALING SECTION 31-3503A, IDAHO CODE, RELATING TO POWERS AND DUTIES OF THE BOARD; REPEALING SECTION 31-3503B, IDAHO CODE, RELATING TO RECIPROCAL AGREEMENTS AND OUT-OF-STATE TREATMENT; REPEALING SECTION 31-3503C, IDAHO CODE, RELATING TO POWERS AND DUTIES OF THE DEPARTMENT; REPEALING SECTION 31-3503D, IDAHO CODE, RELATING TO COUNTY PARTICIPATION AND CONTRIBUTION; REPEALING SECTION 31-3503E, IDAHO CODE, RELATING TO MEDICAID ELIGIBILITY DETERMINATION; REPEALING SECTION 31-3503F, IDAHO CODE, RELATING TO MEDICAL HOME; REPEALING SECTION 31-3504, IDAHO CODE, RELATING TO APPLICATION FOR FINANCIAL ASSISTANCE; REPEALING SECTION 31-3505, IDAHO CODE, RELATING TO TIME AND MANNER OF FILING APPLICATIONS FOR FINANCIAL ASSISTANCE; REPEALING SECTION 31-3505A, IDAHO CODE, RELATING TO INVESTIGATION OF APPLICATION

BY THE CLERK; REPEALING SECTION 31-3505B, IDAHO CODE, RELATING TO APPROVAL BY THE COUNTY COMMISSIONERS; REPEALING SECTION 31-3505C, IDAHO CODE, RELATING TO INITIAL DECISION BY THE COUNTY COMMISSIONERS; REPEALING SECTION 31-3505D, IDAHO CODE, RELATING TO APPEAL OF INITIAL DETERMINATION DENYING AN APPLICATION; REPEALING SECTION 31-3505E, IDAHO CODE, RELATING TO HEARING ON APPEAL OF INITIAL DETERMINATION DENYING AN APPLICATION; REPEALING SECTION 31-3505F, IDAHO CODE, RELATING TO ARBITRATION; REPEALING SECTION 31-3505G, IDAHO CODE, RELATING TO PETITION FOR JUDICIAL REVIEW OF FINAL DETERMINATION; REPEALING SECTION 31-3506, IDAHO CODE, RELATING TO OBLIGATED COUNTY; REPEALING SECTION 31-3507, IDAHO CODE, RELATING TO TRANSFER OF A MEDICALLY INDIGENT PATIENT; REPEALING SECTION 31-3508, IDAHO CODE, RELATING TO LIMITATIONS ON PAYMENTS FOR NECESSARY MEDICAL SERVICES; REPEALING SECTION 31-3508A, IDAHO CODE, RELATING TO PAYMENT FOR NECESSARY MEDICAL SERVICES BY AN OBLIGATED COUNTY; REPEALING SECTION 31-3509, IDAHO CODE, RELATING TO ADMINISTRATIVE OFFSETS AND COLLECTIONS BY HOSPITALS AND PROVIDERS; REPEALING SECTION 31-3510, IDAHO CODE, RELATING TO RIGHT OF SUBROGATION; REPEALING SECTION 31-3510A, IDAHO CODE, RELATING TO REIMBURSEMENT; REPEALING SECTION 31-3511, IDAHO CODE, RELATING TO VIOLATIONS AND PENALTIES; AMENDING SECTION 31-3514, IDAHO CODE, TO PROVIDE A CORRECT CODE REFERENCE; REPEALING SECTION 31-3517, IDAHO CODE, RELATING TO ESTABLISHMENT OF A CATASTROPHIC HEALTH CARE COST PROGRAM; REPEALING SECTION 31-3518, IDAHO CODE, RELATING TO ADMINISTRATIVE RESPONSIBILITY; REPEALING SECTION 31-3519, IDAHO CODE, RELATING TO APPROVAL AND PAYMENT BY THE BOARD; REPEALING SECTION 31-3520, IDAHO CODE, RELATING TO CONTRACT FOR PROVISION OF NECESSARY MEDICAL SERVICES FOR THE MEDICALLY INDIGENT; REPEALING SECTION 31-3521, IDAHO CODE, RELATING TO EMPLOYMENT OF PHYSICIAN; REPEALING SECTION 31-3550, IDAHO CODE, RELATING TO DECLARATION OF PUBLIC POLICY; REPEALING SECTION 31-3551, IDAHO CODE, RELATING TO ADVISORY PANEL FOR PRELITIGATION CONSIDERATION OF INDIGENT RESOURCE ELIGIBILITY CLAIMS AND PROCEDURE; REPEALING SECTION 31-3552, IDAHO CODE, RELATING TO APPOINTMENT AND COMPOSITION OF ADVISORY PANEL; REPEALING SECTION 31-3553, IDAHO CODE, RELATING TO ADVISORY DECISIONS OF PANEL; REPEALING SECTION 31-3554, IDAHO CODE, RELATING TO TOLLING OF LIMITATION PERIODS DURING PENDENCY OF PROCEEDINGS; REPEALING SECTION 31-3555, IDAHO CODE, RELATING TO STAY OF COURT PROCEEDINGS IN INTEREST OF HEARING BEFORE PANEL; REPEALING SECTION 31-3556, IDAHO CODE, RELATING TO EXPENSES FOR ADVISORY PANEL MEMBERS; REPEALING SECTION 31-3557, IDAHO CODE, RELATING TO FREQUENCY OF AND AGENDA FOR MEETINGS; REPEALING SECTION 31-3558, IDAHO CODE, RELATING TO NONDISCLOSURE OF PERSONAL IDENTIFYING INFORMATION; AMENDING SECTION 31-3607, IDAHO CODE, TO REMOVE A CODE

REFERENCE; REPEALING SECTION 57-813, IDAHO CODE, RELATING TO CATASTROPHIC HEALTH CARE COST ACCOUNT; AMENDING SECTION 66-327, IDAHO CODE, TO REMOVE REFERENCE TO THE INDIGENT SICK AND THE OBLIGATION OF COUNTIES; AMENDING SECTION 67-2302, IDAHO CODE, TO REMOVE REFERENCE TO THE MEDICALLY INDIGENT AND TO MAKE A TECHNICAL CORRECTION; AMENDING SECTION 67-7903, IDAHO CODE, TO REMOVE REFERENCE TO THE COUNTY INDIGENT PROGRAM; AMENDING CHAPTER 35, TITLE 31, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 31-3559, IDAHO CODE, TO PROVIDE FOR THE CREATION OF THE COMMUNITY HEALTH CENTER COST PROGRAM, TO PROVIDE FOR USE OF MONEYS IN THE PROGRAM, TO PROVIDE CRITERIA FOR ELIGIBILITY, TO AUTHORIZE CONTRIBUTION TO THE PROGRAM BY COUNTIES AND TO DEFINE A TERM; AMENDING CHAPTER 8, TITLE 57, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 57-825, IDAHO CODE, TO PROVIDE FOR THE CREATION OF THE COMMUNITY HEALTH CENTER COST ACCOUNT, TO PROVIDE THAT THE ADMINISTRATOR OF THE ACCOUNT MAY RETAIN COUNSEL AND TO PROVIDE FOR THE APPROPRIATION AND USE OF MONEYS IN THE ACCOUNT; AND AMENDING CHAPTER 8, TITLE 57, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 57-826, IDAHO CODE, TO PROVIDE FOR THE CREATION OF THE COMMUNITY HEALTH CENTER CREATION ACCOUNT, TO PROVIDE THAT THE ADMINISTRATOR OF THE ACCOUNT MAY RETAIN COUNSEL AND TO PROVIDE FOR THE APPROPRIATION AND USE OF MONEYS IN THE ACCOUNT.

[S 1337](#), [S 1338](#), [S 1339](#), [S 1340](#), [S 1341](#), [S 1342](#), [S 1343](#), [S 1344](#), [S 1345](#), [S 1346](#), and [S 1347](#) were introduced, read the first time at length, and referred to the Judiciary and Rules Committee for printing.

[S 1240](#), as amended, by Judiciary and Rules Committee, was read the first time at length and filed for second reading.

[S 1224](#), as amended, by Health and Welfare Committee, was read the first time at length and filed for second reading.

[H 369](#), as amended in the Senate, by Revenue and Taxation Committee, was read the first time at length and filed for second reading.

On request by Senator Davis, granted by unanimous consent, the Senate returned to the Sixth Order of Business.

Reports of Standing Committees

February 10, 2014

The JUDICIARY AND RULES Committee reports that [S 1337](#) has been correctly printed.

LODGE, Chairman

[S 1337](#) was referred to the Agricultural Affairs Committee.

On request by Senator Davis, granted by unanimous consent, the Senate advanced to the Thirteenth Order of Business.

Third Reading of Bills

On request by Senator Davis, granted by unanimous consent, [S 1205](#) was referred to the Fourteenth Order of Business, General Calendar.

On request by Senator Davis, granted by unanimous consent, the Senate advanced to the Fifteenth Order of Business.

Miscellaneous Business

On motion by Senator Davis, seconded by Senator Stennett, by voice vote, the Senate adjourned at 4:25 p.m. until the hour of 11 a.m., Tuesday, February 11, 2014.

BRAD LITTLE, President

Attest: JENNIFER NOVAK, Secretary

SENATE JOURNAL

OF THE

IDAHO LEGISLATURE

SECOND REGULAR SESSION
SIXTY-SECOND LEGISLATURE

**THIRTY-SEVENTH LEGISLATIVE DAY
TUESDAY, FEBRUARY 11, 2014**

Senate Chamber

President Little called the Senate to order at 11 a.m.

Roll call showed all members present except Senator Buckner-Webb, absent and formally excused by the Chair; and Senators Cameron and Rice, absent and excused.

Prayer was offered by Chaplain Keith Buhler.

The Pledge of Allegiance was led by Jacob Price, Page.

The Senate advanced to the Third Order of Business.

Reading and Correction of the Journal

The JUDICIARY AND RULES Committee reports that the Senate Journal of the proceedings of February 10, 2014, was read and approved as corrected.

LODGE, Chairman

There being no objection, the report was adopted and ordered filed in the office of the Secretary of the Senate.

On request by Senator Davis, granted by unanimous consent, the Senate advanced to the Sixth Order of Business.

Reports of Standing Committees

Senator Rice was recorded present at this order of business.

February 11, 2014

The JUDICIARY AND RULES Committee reports that [SJR 104](#), [SJR 105](#), [SCR 135](#), [S 1331](#), [S 1332](#), [S 1333](#), [S 1334](#), [S 1335](#), [S 1336](#), [S 1338](#), [S 1339](#), [S 1340](#), [S 1341](#), [S 1342](#), [S 1343](#), [S 1344](#), [S 1345](#), [S 1346](#), and [S 1347](#) have been correctly printed.

LODGE, Chairman

[SJR 104](#) and [SJR 105](#) were referred to the State Affairs Committee.

[SCR 135](#) was referred to the Tenth Order of Business, Motions and Resolutions, and ordered held at the Secretary's desk for one legislative day.

[S 1331](#), [S 1340](#), and [S 1341](#) were referred to the Judiciary and Rules Committee.

[S 1332](#), [S 1333](#), [S 1334](#), [S 1335](#), and [S 1336](#) were referred to the State Affairs Committee.

[S 1338](#) was referred to the Agricultural Affairs Committee.

[S 1339](#) was referred to the Transportation Committee.

[S 1342](#) and [S 1343](#) were referred to the Education Committee.

[S 1344](#), [S 1345](#), and [S 1346](#) were referred to the Resources and Environment Committee.

[S 1347](#) was referred to the Health and Welfare Committee.

February 10, 2014

The JUDICIARY AND RULES Committee reports that Enrolled [S 1245](#) was delivered to the Office of the Governor at 1:35 p.m., February 10, 2014.

LODGE, Chairman

The report was ordered filed in the office of the Secretary of the Senate.

February 10, 2014

The RESOURCES AND ENVIRONMENT Committee reports out [S 1277](#) with the recommendation that it be referred to the Fourteenth Order of Business for amendment.

PEARCE, Chairman

There being no objection, [S 1277](#) was referred to the Fourteenth Order of Business, General Calendar.

February 10, 2014

The HEALTH AND WELFARE Committee reports out [S 1263](#) with the recommendation that it do pass.

HEIDER, Chairman

[S 1263](#) was filed for second reading.

February 11, 2014

The STATE AFFAIRS Committee reports it has had under consideration the Gubernatorial appointments listed below and the Committee recommends that said appointments be confirmed by the Senate:

Richelle Sugiyama to the Idaho Endowment Fund Investment Board, term to expire April 11, 2017.

Susan Simmons to the Idaho Endowment Fund Investment Board, term to expire April 11, 2017.

Tom Kealey to the Idaho Endowment Fund Investment Board, term to expire April 11, 2017.

MCKENZIE, Chairman

The Gubernatorial appointments were referred to the Tenth Order of Business, Motions and Resolutions, and ordered held at the Secretary's desk for one legislative day.

On request by Senator Davis, granted by unanimous consent, the Senate advanced to the Eighth Order of Business.

Messages from the Governor

February 10, 2014

The Honorable Brad Little
President of the Senate
Idaho Legislature

Dear Mr. President:

I have the honor to inform you that Candice Allphin of Boise, Idaho, was reappointed as a member of the State Building Authority to serve a term commencing January 1, 2014, and expiring January 1, 2019.

This reappointment was made subject to confirmation by the Senate. Notice of appointment is hereby given.

As Always - Idaho, *Esto Perpetua*
/s/ C.L. "Butch" Otter
Governor

The correspondence was ordered filed in the office of the Secretary of the Senate.

The Gubernatorial reappointment was referred to the State Affairs Committee.

February 10, 2014

The Honorable Brad Little
President of the Senate
Idaho Legislature

Dear Mr. President:

I have the honor to inform you that Timothy N. Anderson of Rigby, Idaho, was reappointed as a member of the State Building Authority to serve a term commencing June 24, 2013, and expiring January 1, 2018.

This reappointment was made subject to confirmation by the Senate. Notice of appointment is hereby given.

As Always - Idaho, *Esto Perpetua*
/s/ C.L. "Butch" Otter
Governor

The correspondence was ordered filed in the office of the Secretary of the Senate.

The Gubernatorial reappointment was referred to the State Affairs Committee.

February 10, 2014

The Honorable Brad Little
President of the Senate
Idaho Legislature

Dear Mr. President:

I have the honor to inform you that John Ewing of Meridian, Idaho, was reappointed as a member of the State Building Authority to serve a term commencing January 1, 2014, and expiring January 1, 2019.

This reappointment was made subject to confirmation by the Senate. Notice of appointment is hereby given.

As Always - Idaho, *Esto Perpetua*
/s/ C.L. "Butch" Otter
Governor

The correspondence was ordered filed in the office of the Secretary of the Senate.

The Gubernatorial reappointment was referred to the State Affairs Committee.

February 10, 2014

The Honorable Brad Little
President of the Senate
Idaho Legislature

Dear Mr. President:

I have the honor to inform you that I have signed today and am transmitting to the Secretary of State the following Senate Bills, to wit:

[S 1216](#), [S 1217](#), and [S 1218](#)

As Always - Idaho, *Esto Perpetua*
/s/ C.L. "Butch" Otter
Governor of Idaho

The correspondence was ordered filed in the office of the Secretary of the Senate.

The Senate advanced to the Ninth Order of Business.

Messages from the House

Senator Cameron was recorded present at this order of business.

February 10, 2014

Dear Mr. President:

I transmit herewith [H 421](#), [H 383](#), [H 404](#), and [H 431](#), which have passed the House.

ALEXANDER, Chief Clerk

[H 421](#), [H 383](#), [H 404](#), and [H 431](#) were filed for first reading.

February 10, 2014

Dear Mr. President:

I return herewith [S 1201](#), which has passed the House.

ALEXANDER, Chief Clerk

[S 1201](#) was referred to the Judiciary and Rules Committee for enrolling.

On request by Senator Davis, granted by unanimous consent, the Senate advanced to the Eleventh Order of Business.

Introduction, First Reading, and Reference of Bills, House Petitions, Resolutions, and Memorials

[H 421](#), by Business Committee, was introduced, read the first time at length, and referred to the Commerce and Human Resources Committee.

[H 383](#), by Revenue and Taxation Committee, was introduced, read the first time at length, and referred to the Local Government and Taxation Committee.

[H 404](#), by Transportation and Defense Committee, was introduced, read the first time at length, and referred to the Transportation Committee.

[H 431](#), by Agricultural Affairs Committee, was introduced, read the first time at length, and referred to the Agricultural Affairs Committee.

The Senate advanced to the Twelfth Order of Business.

Second Reading of Bills

[S 1297](#), by Finance Committee, was read the second time at length and filed for third reading.

[S 1240](#), as amended, by Judiciary and Rules Committee, was read the second time at length and filed for third reading.

[S 1224](#), as amended, by Health and Welfare Committee, was read the second time at length and filed for third reading.

[H 369](#), as amended in the Senate, by Revenue and Taxation Committee, was read the second time at length and filed for third reading.

On request by Senator Davis, granted by unanimous consent, the Senate returned to the Sixth Order of Business.

Reports of Standing Committees

February 11, 2014

The AGRICULTURAL AFFAIRS Committee reports out [S 1266](#), [S 1268](#), and [S 1337](#) with the recommendation that they do pass.

BAIR, Chairman

[S 1266](#), [S 1268](#), and [S 1337](#) were filed for second reading.

On request by Senator Davis, granted by unanimous consent, the Senate advanced to the Thirteenth Order of Business.

Third Reading of Bills

[S 1229](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Thayne arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Bair, Bayer, Bock, Brackett, Cameron, Davis, Fulcher, Goedde, Guthrie, Hagedorn, Heider, Hill, Johnson, Keough, Lacey, Lakey, Lodge, Martin, McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Pearce, Rice, Schmidt, Siddoway, Stennett, Thayne, Tippetts, Vick, Ward-Engelking, Werk, Winder. Total - 34.

NAYS—None.

Absent and excused—Buckner-Webb. Total - 1.

Total - 35.

Whereupon the President declared [S 1229](#) passed, title was approved, and the bill ordered transmitted to the House.

[S 1257](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Goedde arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Bair, Bayer, Bock, Brackett, Cameron, Davis, Fulcher, Goedde, Guthrie, Hagedorn, Heider, Hill, Johnson, Keough, Lacey, Lakey, Lodge, Martin, McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Pearce, Rice, Schmidt, Siddoway, Stennett, Thayne, Tippetts, Vick, Ward-Engelking, Werk, Winder. Total - 34.

NAYS—None.

Absent and excused—Buckner-Webb. Total - 1.

Total - 35.

Whereupon the President declared [S 1257](#) passed, title was approved, and the bill ordered transmitted to the House.

[S 1264](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Mortimer arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Bair, Bayer, Bock, Brackett, Cameron, Davis, Fulcher, Goedde, Guthrie, Hagedorn, Heider, Hill, Johnson, Keough, Lacey, Lakey, Lodge, Martin, McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Pearce, Rice, Schmidt, Siddoway, Stennett, Thayne, Tippetts, Vick, Ward-Engelking, Werk, Winder. Total - 34.

NAYS—None.

Absent and excused—Buckner-Webb. Total - 1.

Total - 35.

Whereupon the President declared [S 1264](#) passed, title was approved, and the bill ordered transmitted to the House.

[S 1251](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Lodge arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Bair, Bayer, Bock, Brackett, Cameron, Davis, Fulcher, Goedde, Guthrie, Hagedorn, Heider, Hill, Johnson, Keough, Lacey, Lakey, Lodge, Martin, McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Pearce, Rice, Schmidt, Siddoway, Stennett, Thayne, Tippetts, Vick, Ward-Engelking, Werk, Winder. Total - 34.

NAYS—None.

Absent and excused—Buckner-Webb. Total - 1.

Total - 35.

Whereupon the President declared [S 1251](#) passed, title was approved, and the bill ordered transmitted to the House.

[S 1225](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Schmidt arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES--Schmidt. Total - 1.

NAYS--Bair, Bayer, Bock, Brackett, Cameron, Davis, Fulcher, Goedde, Guthrie, Hagedorn, Heider, Hill, Johnson, Keough, Lacey, Lakey, Lodge, Martin, McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Pearce, Rice, Siddoway, Stennett, Thayn, Tippetts, Vick, Ward-Engelking, Werk, Winder. Total - 33.

Absent and excused--Buckner-Webb. Total - 1.

Total - 35.

Whereupon the President declared that [S 1225](#) had failed to pass the Senate and ordered the bill filed in the office of the Secretary of the Senate.

[H 361](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Mortimer arose as sponsor of the bill and opened the debate.

On request by Senator Davis, granted by unanimous consent, [H 361](#) retained its place on the Third Reading Calendar for one legislative day.

On request by Senator Davis, granted by unanimous consent, [S 1267](#) retained its place on the Third Reading Calendar for Thursday, February 13, 2014.

On request by Senator Davis, granted by unanimous consent, all Senate bills were placed at the head of the Third Reading Calendar, followed by House bills.

On request by Senator Davis, granted by unanimous consent, the Senate advanced to the Fifteenth Order of Business.

Miscellaneous Business

On motion by Senator Davis, seconded by Senator Stennett, by voice vote, the Senate adjourned at 12:05 p.m. until the hour of 10:30 a.m., Wednesday, February 12, 2014.

BRAD LITTLE, President

Attest: JENNIFER NOVAK, Secretary

SENATE JOURNAL

OF THE

IDAHO LEGISLATURE

SECOND REGULAR SESSION
SIXTY-SECOND LEGISLATURE

**THIRTY-EIGHTH LEGISLATIVE DAY
WEDNESDAY, FEBRUARY 12, 2014**

Senate Chamber

President Little called the Senate to order at 10:30 a.m.

Roll call showed all members present except Senator Buckner-Webb, absent and formally excused by the Chair; and Senators Cameron, Schmidt, and Siddoway, absent and excused.

Prayer was offered by Chaplain Keith Buhler.

The Pledge of Allegiance was led by Jordan Price, Page.

The Senate advanced to the Third Order of Business.

Reading and Correction of the Journal

The JUDICIARY AND RULES Committee reports that the Senate Journal of the proceedings of February 11, 2014, was read and approved as corrected.

LODGE, Chairman

There being no objection, the report was adopted and ordered filed in the office of the Secretary of the Senate.

Senator Siddoway was recorded present at this order of business.

On request by Senator Davis, granted by unanimous consent, the Senate advanced to the Sixth Order of Business.

Reports of Standing Committees

February 11, 2014

The JUDICIARY AND RULES Committee reports that [S 1201](#) has been correctly enrolled.

LODGE, Chairman

The President signed Enrolled [S 1201](#) and ordered it transmitted to the House for the signature of the Speaker.

February 11, 2014

The HEALTH AND WELFARE Committee reports out [H 348](#), [H 349](#), and [H 350](#) with the recommendation that they do pass.

HEIDER, Chairman

[H 348](#), [H 349](#), and [H 350](#) were filed for second reading.

February 11, 2014

The TRANSPORTATION Committee reports out [H 389](#) and [S 1286](#) with the recommendation that they do pass.

BRACKETT, Chairman

[H 389](#) and [S 1286](#) were filed for second reading.

February 11, 2014

The TRANSPORTATION Committee reports out [S 1284](#) with the recommendation that it be referred to the Fourteenth Order of Business for amendment.

BRACKETT, Chairman

There being no objection, [S 1284](#) was referred to the Fourteenth Order of Business, General Calendar.

On request by Senator Davis, granted by unanimous consent, the Senate advanced to the Eighth Order of Business.

Messages from the Governor

February 11, 2014

The Honorable Brad Little
President of the Senate
Idaho Legislature

Dear Mr. President:

I have the honor to inform you that I have appointed Troy Rohn of Boise, Idaho, to be Acting State Senator for Legislative District 19, Ada, State of Idaho.

This appointment is effective February 12, 2014, and will continue until such time as Senator Cherie Buckner-Webb is able to resume her duties.

As Always - Idaho, *Esto Perpetua*
/s/ C.L. "Butch" Otter
Governor

THE OFFICE OF THE GOVERNOR
EXECUTIVE DEPARTMENT
BOISE, IDAHO
CERTIFICATE OF APPOINTMENT

KNOW ALL MEN, by these Presents, that pursuant to the provisions of Section 59-917, *Idaho Code*, Cherie Buckner-Webb, State Senator, District 19, Ada, State of Idaho, has nominated Troy Rohn of Boise, Idaho, to perform the duties of this office temporarily as Acting State Senator, District 19, Ada.

NOW, THEREFORE, I, C.L. "Butch" Otter, Governor of the State of Idaho, by virtue of the authority vested in me do hereby appoint Troy Rohn to the office of State Senator, District 19, Ada, State of Idaho, for a term commencing on February 12, 2014, and continuing until such time as Senator Buckner-Webb is able to resume her duties.

IN TESTIMONY WHEREOF, I have hereunto set my hand and caused to be affixed the Great Seal of the State of Idaho.

Done at Boise, the Capital of Idaho, this 11th day of February, in the year of our Lord two thousand and fourteen and of the Independence of the United States of America, the 238th year.

/s/ BY THE GOVERNOR C.L. "BUTCH" OTTER
/s/ SECRETARY OF STATE BEN T. YSURSA

The correspondence and Certificate of Appointment were ordered filed in the office of the Secretary of the Senate.

The President announced that the Oath of Office had been administered previously to Acting Senator Rohn, and he was recorded present at this order of business.

Senator Schmidt was recorded present at this order of business.

The Senate advanced to the Ninth Order of Business.

Messages from the House

February 11, 2014

Dear Mr. President:

I transmit herewith [H 394](#) and [H 395](#), which have passed the House.

ALEXANDER, Chief Clerk

[H 394](#) and [H 395](#) were filed for first reading.

February 11, 2014

Dear Mr. President:

I return herewith [S 1213](#), [S 1236](#), and [S 1237](#), which have passed the House.

ALEXANDER, Chief Clerk

[S 1213](#), [S 1236](#), and [S 1237](#) were referred to the Judiciary and Rules Committee for enrolling.

The Senate advanced to the Tenth Order of Business.

Motions and Resolutions

On request by Senator Davis, granted by unanimous consent, [SCR 135](#) retained its place on the calendar for Wednesday, February 19, 2014.

On request by Senator Davis, granted by unanimous consent, the committee report of the Gubernatorial reappointment confirmation of Richelle Sugiyama retained its place on the calendar for Thursday, February 13, 2014.

On request by Senator Davis, granted by unanimous consent, the committee report of the Gubernatorial reappointment confirmation of Susan Simmons retained its place on the calendar for Thursday, February 13, 2014.

The President announced that the State Affairs Committee report relative to the Gubernatorial reappointment of Tom Kealey was before the Senate for final consideration, the question being, "Shall the report be adopted?"

On motion by Senator Ward-Engelking, seconded by Senator Lacey, the Gubernatorial reappointment of Tom Kealey as a member of the Idaho Endowment Fund Investment Board was confirmed by voice vote.

The President declared the report adopted and directed the Secretary of the Senate to prepare a letter of the Gubernatorial reappointment confirmation for his signature, attested to by the Secretary, to be transmitted to the Governor informing him of the action of the Senate.

The Senate advanced to the Eleventh Order of Business.

Introduction, First Reading, and Reference of Bills, House Petitions, Resolutions, and Memorials

[H 394](#) and [H 395](#), by Health and Welfare Committee, were introduced, read the first time at length, and referred to the Health and Welfare Committee.

The Senate advanced to the Twelfth Order of Business.

Second Reading of Bills

[S 1263](#), by Health and Welfare Committee, was read the second time at length and filed for third reading.

[S 1266](#), [S 1268](#), and [S 1337](#), by Agricultural Affairs Committee, were read the second time at length and filed for third reading.

The Senate advanced to the Thirteenth Order of Business.

Third Reading of Bills

Senator Cameron was recorded present at this order of business.

[S 1241](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Guthrie arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Bair, Bayer, Bock, Brackett, Rohn (Buckner-Webb), Cameron, Davis, Fulcher, Goedde, Guthrie, Hagedorn, Heider, Hill, Johnson, Keough, Lacey, Lakey, Lodge, Martin, McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Pearce, Rice, Schmidt, Siddoway, Stennett, Thayn, Tippets, Vick, Ward-Engelking, Werk, Winder. Total - 35.

Whereupon the President declared [S 1241](#) passed, title was approved, and the bill ordered transmitted to the House.

[S 1297](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Lacey arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Bair, Bayer, Bock, Brackett, Rohn (Buckner-Webb), Cameron, Davis, Fulcher, Goedde, Guthrie, Hagedorn, Heider, Hill, Johnson, Keough, Lacey, Lakey, Lodge, Martin, McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Pearce, Rice, Schmidt, Siddoway, Stennett, Thayn, Tippets, Vick, Ward-Engelking, Werk, Winder. Total - 35.

Whereupon the President declared [S 1297](#) passed, title was approved, and the bill ordered transmitted to the House.

[S 1240](#), as amended, was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Rice arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Bair, Bayer, Bock, Brackett, Rohn (Buckner-Webb), Cameron, Davis, Fulcher, Goedde, Guthrie, Hagedorn, Heider, Hill, Johnson, Keough, Lacey, Lakey, Lodge, Martin, McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Pearce, Rice, Schmidt, Siddoway, Stennett, Thayn, Tippets, Vick, Ward-Engelking, Werk, Winder. Total - 35.

Whereupon the President declared [S 1240](#), as amended, passed, title was approved, and the bill ordered transmitted to the House.

On request by Senator Mortimer, granted by unanimous consent, [H 361](#) retained its place on the Third Reading Calendar for one legislative day.

[S 1224](#), as amended, was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Lakey arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Bair, Bock, Brackett, Rohn (Buckner-Webb), Cameron, Davis, Goedde, Guthrie, Hagedorn, Heider, Hill, Johnson, Keough, Lacey, Lakey, Lodge, Martin, Mortimer, Patrick, Schmidt, Siddoway, Stennett, Tippets, Ward-Engelking, Werk, Winder. Total - 26.

NAYS—Bayer, Fulcher, McKenzie, Nonini, Nuxoll, Pearce, Rice, Thayne, Vick. Total - 9.

Total - 35.

Whereupon the President declared [S 1224](#), as amended, passed, title was approved, and the bill ordered transmitted to the House.

[H 362](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Nonini arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Bair, Bayer, Bock, Brackett, Rohn (Buckner-Webb), Cameron, Davis, Fulcher, Goedde, Guthrie, Hagedorn, Heider, Hill, Johnson, Keough, Lacey, Lakey, Lodge, Martin, McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Pearce, Rice, Schmidt, Siddoway, Stennett, Thayne, Tippets, Vick, Ward-Engelking, Werk, Winder. Total - 35.

Whereupon the President declared [H 362](#) passed, title was approved, and the bill ordered returned to the House.

[H 381](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Bayer arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Bair, Bayer, Bock, Brackett, Rohn (Buckner-Webb), Cameron, Davis, Fulcher, Goedde, Guthrie, Hagedorn, Heider, Hill, Johnson, Keough, Lacey, Lakey, Lodge, Martin, McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Pearce, Rice, Schmidt, Siddoway, Stennett, Thayne, Tippets, Vick, Ward-Engelking, Werk, Winder. Total - 35.

Whereupon the President declared [H 381](#) passed, title was approved, and the bill ordered returned to the House.

[H 384](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Rice arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Bair, Bayer, Bock, Brackett, Rohn (Buckner-Webb), Cameron, Davis, Fulcher, Goedde, Guthrie, Hagedorn, Heider, Hill, Johnson, Keough, Lacey, Lakey, Lodge, Martin, McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Pearce, Rice, Schmidt, Siddoway, Stennett, Thayne, Tippets, Vick, Ward-Engelking, Werk, Winder. Total - 35.

Whereupon the President declared [H 384](#) passed, title was approved, and the bill ordered returned to the House.

[H 369](#), as amended in the Senate, was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Rice arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Bair, Bayer, Bock, Brackett, Rohn (Buckner-Webb), Cameron, Davis, Fulcher, Goedde, Guthrie, Hagedorn, Heider, Hill, Johnson, Keough, Lacey, Lakey, Lodge, Martin, McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Pearce, Rice, Schmidt, Siddoway, Stennett, Thayne, Tippets, Vick, Ward-Engelking, Werk, Winder. Total - 35.

Whereupon the President declared [H 369](#), as amended in the Senate, passed, title was approved, and the bill ordered returned to the House.

On request by Senator Davis, granted by unanimous consent, the Senate returned to the Tenth Order of Business.

Motions and Resolutions

On request by Senator Davis, granted by unanimous consent, the Senate went at ease and resolved itself into the Committee for the Lincoln Day Service.

The Lincoln Day Program was presented to the members of the Senate with Co-chairman Senator Lakey providing opening remarks. The Prayer was offered by Doug Benzon, retired economist with the Idaho Department of Transportation. "O Beautiful for Spacious Skies" was performed by Elaine Farris on piano and Amanda Hagerman on violin.

The Senate Pages offered their favorite Lincoln quotes and sang "America the Beautiful." Senator Ward-Engelking provided remarks honoring President Lincoln.

Closing remarks were provided by Co-chairman Senator Martin. He extended gratitude to all who helped with the program and the Lincoln Day Service was dissolved.

President Little called President Pro Tempore Hill to the Chair.

On request by Senator Davis, granted by unanimous consent, the Senate advanced to the Fifteenth Order of Business.

Miscellaneous Business

On motion by Senator Davis, seconded by Senator Stennett, by voice vote, the Senate adjourned at 12 noon until the hour of 10:30 a.m., Thursday, February 13, 2014.

BRAD LITTLE, President

Attest: JENNIFER NOVAK, Secretary

SENATE JOURNAL

OF THE

IDAHO LEGISLATURE

SECOND REGULAR SESSION
SIXTY-SECOND LEGISLATURE

THIRTY-NINTH LEGISLATIVE DAY
THURSDAY, FEBRUARY 13, 2014

Senate Chamber

President Little called the Senate to order at 10:30 a.m.

Roll call showed all members present except Senator Cameron, absent and excused.

Prayer was offered by Chaplain Keith Buhler.

The Pledge of Allegiance was led by Aaron Sweet, Page.

The Senate advanced to the Third Order of Business.

Reading and Correction of the Journal

The JUDICIARY AND RULES Committee reports that the Senate Journal of the proceedings of February 12, 2014, was read and approved as corrected.

LODGE, Chairman

There being no objection, the report was adopted and ordered filed in the office of the Secretary of the Senate.

On request by Senator Davis, granted by unanimous consent, the Senate advanced to the Sixth Order of Business.

Reports of Standing Committees

February 12, 2014

The JUDICIARY AND RULES Committee reports that [S 1213](#), [S 1236](#), and [S 1237](#) have been correctly enrolled.

LODGE, Chairman

The President signed Enrolled [S 1213](#), [S 1236](#), and [S 1237](#) and ordered them transmitted to the House for the signature of the Speaker.

February 12, 2014

The STATE AFFAIRS Committee reports out [S 1254](#) with the recommendation that it do pass.

MCKENZIE, Chairman

[S 1254](#) was filed for second reading.

February 12, 2014

The LOCAL GOVERNMENT AND TAXATION Committee reports out [H 377](#), [H 383](#), [S 1300](#), and [S 1301](#) with the recommendation that they do pass.

SIDDOWAY, Chairman

[H 377](#), [H 383](#), [S 1300](#), and [S 1301](#) were filed for second reading.

February 12, 2014

The EDUCATION Committee reports out [S 1317](#), [S 1318](#), and [S 1319](#) with the recommendation that they do pass.

GOEDDE, Chairman

[S 1317](#), [S 1318](#), and [S 1319](#) were filed for second reading.

On request by Senator Davis, granted by unanimous consent, the Senate advanced to the Eighth Order of Business.

Messages from the Governor

February 13, 2014

The Honorable Brad Little
President of the Senate
Idaho Legislature

Dear Mr. President:

I have the honor to inform you that I have signed today and am transmitting to the Secretary of State the following Senate Bill, to wit:

[S 1245](#)

As Always - Idaho, *Esto Perpetua*
/s/ C.L. "Butch" Otter
Governor of Idaho

The correspondence was ordered filed in the office of the Secretary of the Senate.

The Senate advanced to the Ninth Order of Business.

Messages from the House

February 12, 2014

Dear Mr. President:

I transmit herewith [H 363](#), [H 430](#), [H 402](#), [H 479](#), and [H 396](#), which have passed the House.

ALEXANDER, Chief Clerk

[H 363](#), [H 430](#), [H 402](#), [H 479](#), and [H 396](#) were filed for first reading.

February 12, 2014

Dear Mr. President:

I return herewith [S 1235](#), which has passed the House.

ALEXANDER, Chief Clerk

[S 1235](#) was referred to the Judiciary and Rules Committee for enrolling.

The Senate advanced to the Tenth Order of Business.

Motions and Resolutions

Senator Cameron was recorded present at this order of business.

The President announced that the State Affairs Committee report relative to the Gubernatorial reappointment of Richelle Sugiyama was before the Senate for final consideration, the question being, "Shall the report be adopted?"

On motion by Senator Werk, seconded by Senator Fulcher, the Gubernatorial reappointment of Richelle Sugiyama as a member of the Idaho Endowment Fund Investment Board was confirmed by voice vote.

The President declared the report adopted and directed the Secretary of the Senate to prepare a letter of the Gubernatorial reappointment confirmation for his signature, attested to by the Secretary, to be transmitted to the Governor informing him of the action of the Senate.

The President announced that the State Affairs Committee report relative to the Gubernatorial reappointment of Susan Simmons was before the Senate for final consideration, the question being, "Shall the report be adopted?"

On motion by Senator Winder, seconded by Senator Werk, the Gubernatorial reappointment of Susan Simmons as a member of the Idaho Endowment Fund Investment Board was confirmed by voice vote.

The President declared the report adopted and directed the Secretary of the Senate to prepare a letter of the Gubernatorial reappointment confirmation for his signature, attested to by the Secretary, to be transmitted to the Governor informing him of the action of the Senate.

The Senate advanced to the Eleventh Order of Business.

Introduction, First Reading, and Reference of Bills, House Petitions, Resolutions, and Memorials

[H 363](#), by Business Committee, was introduced, read the first time at length, and referred to the Commerce and Human Resources Committee.

[H 430](#), by Agricultural Affairs Committee, was introduced, read the first time at length, and referred to the Agricultural Affairs Committee.

[H 402](#), by Revenue and Taxation Committee, was introduced, read the first time at length, and referred to the Local Government and Taxation Committee.

[H 479](#), by Appropriations Committee, was introduced, read the first time at length, and referred to the Finance Committee.

[H 396](#), by Health and Welfare Committee, was introduced, read the first time at length, and referred to the Health and Welfare Committee.

The Senate advanced to the Twelfth Order of Business.

Second Reading of Bills

[H 348](#), [H 349](#), and [H 350](#), by Health and Welfare Committee, were read the second time at length and filed for third reading.

[H 389](#), by Transportation and Defense Committee, was read the second time at length and filed for third reading.

[S 1286](#), by Transportation Committee, was read the second time at length and filed for third reading.

On request by Senator Davis, granted by unanimous consent, the Senate returned to the Tenth Order of Business.

Motions and Resolutions

At this time Senator Davis arose on a point of personal privilege to announce that a distinguished visitor had arrived, and the President appointed Senators Nonini and Ward-Engelking to escort Consul of Mexico, Guillermo Ordorica, into the Senate Chamber where he addressed the members of the Senate.

The President thanked Consul Ordorica for his remarks and Senators Nonini and Ward-Engelking escorted the Consul from the Chamber, and the Committee was discharged.

On request by Senator Davis, granted by unanimous consent, the Senate advanced to the Thirteenth Order of Business.

Third Reading of Bills

On request by Senator Davis, granted by unanimous consent, **S 1337** was placed at the head of the Third Reading Calendar, followed by all remaining Senate bills, followed by House bills.

On request by Senator Davis, granted by unanimous consent, the Senate advanced to the Fifteenth Order of Business.

Miscellaneous Business

On motion by Senator Davis, seconded by Senator Stennett, by voice vote, the Senate adjourned at 11:55 a.m. until the hour of 11 a.m., Friday, February 14, 2014.

BRAD LITTLE, President

Attest: JENNIFER NOVAK, Secretary